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SEPTEMBER 28, 1973

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NATIONAL REVIEW

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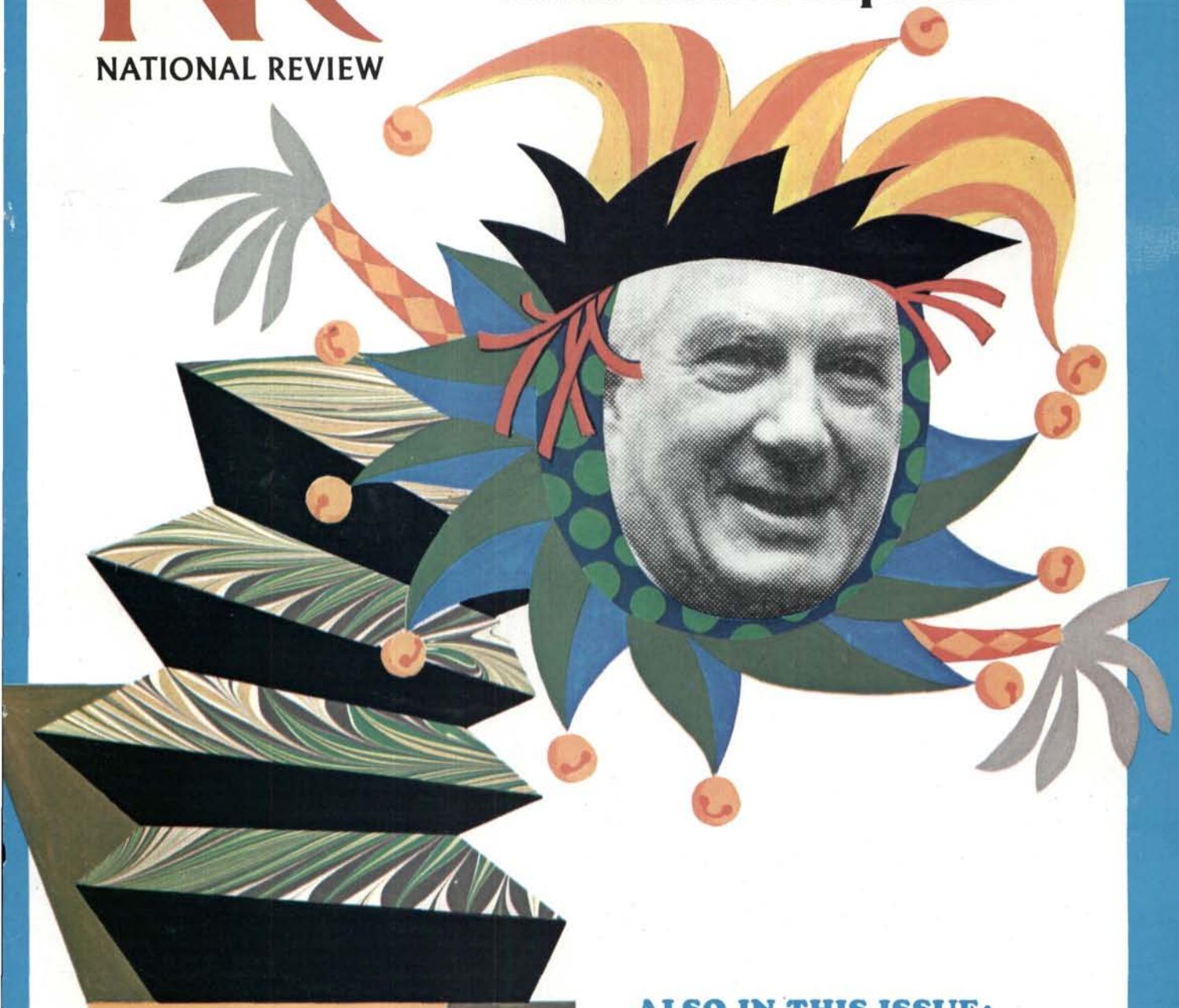

ALSO IN THIS ISSUE:

Colm Brogan Dines with Evelyn Waugh

Kirk on a Power Grab by the Teachers

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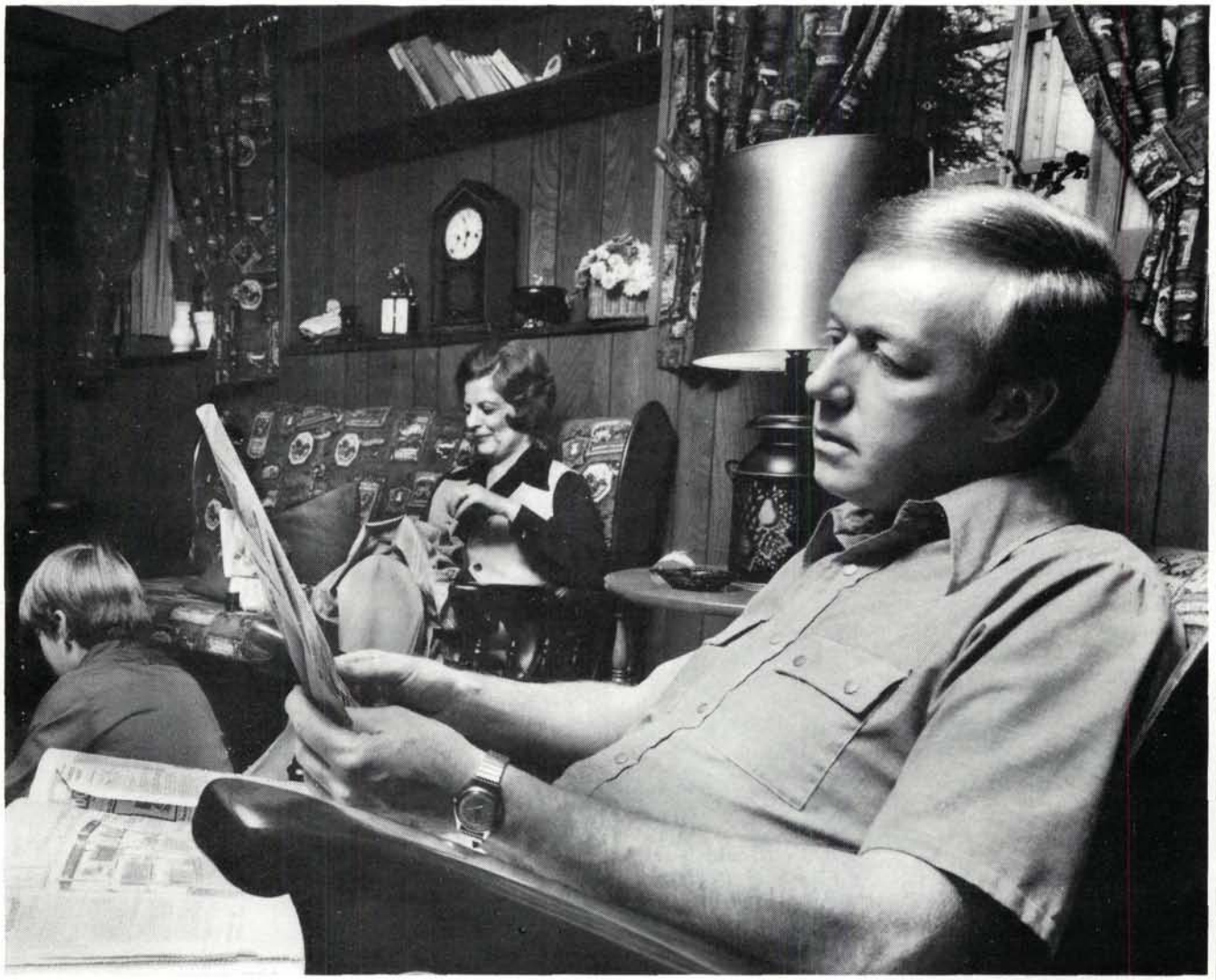

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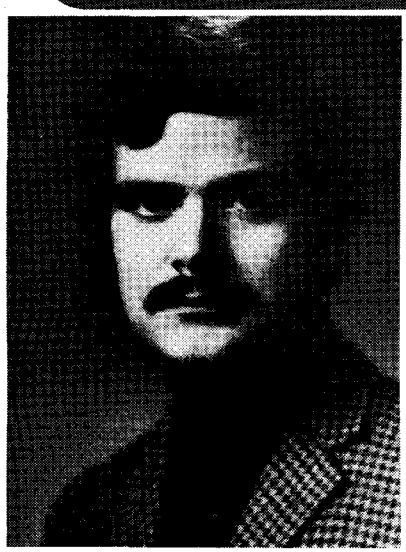
by
D. T. Armentano



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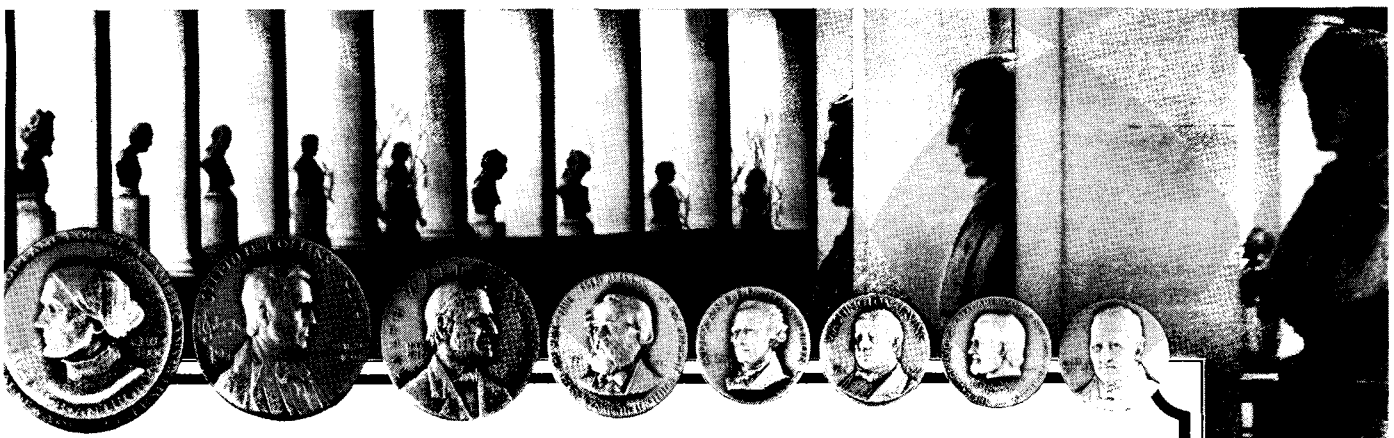

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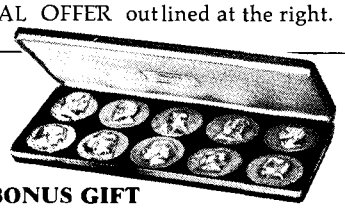

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Letters

Copeland, Alias Fleming?

My first impression on reading Miles Copeland's "The Unmentionable Uses of a CIA" [Sept. 14] was: "Is this for real?" My second, "Does this kind of thing really go on this side of Ian Fleming?" And my third, a considered one, "Of course it must, and thank God our intelligence is into it too." I am holding my breath for the sequel, and my local bookstore has my order right now for Copeland's book when it comes out. Ye gads.

Tulsa, Okla. MILLICENT BROWNLEY

As an old *Avengers-Secret Agent* - James Bond fan, I went through Miles Copeland's piece with eyes like saucers. The first thing that astonished me, of course, was the miscellaneous-projects man's being called Mother. Do you suppose the CIA or *The Avengers* thought of it first? And then the description of "ringing" ("installing in their anatomies certain minute substances which emit traceable radio signals")! Strictly *Mission: Impossible* stuff. Best of all, and tying this kind of thing into the substantive points of the article, was the explanation of why the elaborate nicknames are used. Anything that keeps Jack Anderson & Co. at bay is to be encouraged.

More serious—but no less fascinating—was the description of "blowing fuses" and "losing the papers." This is the vital difference between the only-following-orders mentality that seems to have pervaded the White House, and the thoroughly professional—dare one say patriotic?—atmosphere of CIA.

Chicago, Ill. JULIE WILCOX

Detente Bulletins

For some time I have enjoyed James Burnham's column in NATIONAL REVIEW. Of particular interest to me was his "Bulletins from the Detente Front" [July 20].

One would not hear about those except through *NR*. If I may add one thing, I was listening to the shortwave transmission of Radio Kiev (11.900) on August 16. They mentioned "the forces who would oppose world progress" and "forces . . . who think in terms of the cold war" but they threw in something new, and it made me wonder about it for some time. They said the Soviets would, and I quote, "expand the zone of detente." Now I wonder . . .

Keep up the good work.

Satellite Beach, Fla. H. ROBERT KELLER IV

Miles on Abortion

John A. Miles Jr.'s interesting article "The Wife of Onan and the Sons of Cain" [Aug. 17] speaks of abortion as "murder."

The *Random House Dictionary* defines "murder" as unlawful killing of another human being. So, now that it is lawful, it is no longer "murder"; it's just legally killing another human being.

But, be it "murder" or "killing," isn't abortion, particularly in the embryonic stage, better than the wholesale infanticide that once went on in England and other countries, according to the same article?

Oakland, Calif. ROBERT BLAKE

Right. And second-degree murder is better than first-degree murder. —ED.

When Mr. Miles seeks to divert our attention away from the basic moral question (should abortion, a type of murder, be allowed?) to the question of "social technology" and its inherent dangers, he errs greatly. Mr. Miles seems to pass rather lightly over the fact that the *ability* to act has so often resulted in the *disposition* to act, a fact which reminds me not a little of "original sin." If the problem is indeed ingrained in man's nature, then I suspect that the results of any debate over the possible dangers of social technology would reflect the very flaws of constitution which have resulted in such dangers.

On the other hand, the question of abortion as murder can be approached on traditional grounds and, if moral "erosion" (perhaps the cause of technological "dangers") has not taken its toll, this legalized murder may be brought to an end.

To approach the matter otherwise—to assert the importance of recognizing the dangers of social technology over the importance of recognizing the sanctity of human life—would be, I believe, both unwise and dangerous.

Long Beach, Calif. BRIAN ALAN BROWN

I was very much interested in the article

(Continues on page 1030)

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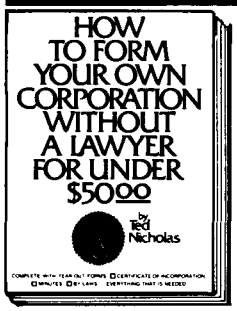

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NR NATIONAL REVIEW VOL. XXV, No. 39 SEPTEMBER 28, 1973

IN THIS ISSUE . . .

The Supreme Court reconvenes on October 1, and law-and-order types are breathing more freely as the impact of Mr. Nixon's appointees is gradually felt. To measure that impact **James Jackson Kilpatrick** reviews the record of the past season—with his usual sure-footedness and felicity. JJK, by the way, is on top of the world these days, rusticating on his farm deep in Virginia and writing the finest journalistic prose of the times. . . . Two issues back, Professor **Alexander Bickel** of Yale, who has been identified by Mr. Buckley as "the man hired by AFTRA to take away my civil liberties" (Bickel is appealing the decision in favor of Buckley by the District Court on the issue of whether Buckley has to join a union in order to appear on TV), reviewed a volume protesting the legality of Lyndon Johnson's Vietnam war. Professor **Harry Jaffa**, the eloquent political scientist and historian, thinks Bickel missed the point and says why; and the estimable Professor Bickel replies. Meanwhile, a Japanese court has ruled that under the Constitution's "no war" clause, *no* armed forces are legal. Perhaps Mr. Nixon can send Carswell or Haynsworth to the Japanese Supreme Court? . . . Notwithstanding that the United Nations has for 28 years striven for world peace, we are not visibly closer to that goal. The **Rickenbacker** Method for Achieving World Peace is more promising. Cheaper, too. . . . **Russell Kirk**'s column—please read it carefully—should scare you half to death. The plan of the National Education Association makes even more regrettable the Supreme Court's decision on aid to private schools, which decision Mr. Kilpatrick (above) discusses. . . . Watergate, of course, is too serious for humor but **Keith Mano** on Watergate humor is too funny to read out of reach of your respirator. . . . Last week the Gainesville 8 were acquitted of charges of plotting to disrupt the Republican Convention, bringing to a close, surely, the Federal Government's prosecution of antiwar radicals. The Government's efforts have been distinguished by their outstanding lack of success. New York authorities were no more successful in their prosecution of 21 Black Panthers. **Jack Chatfield** reviews Murray Kempton's pure Kempton *The Briar Patch*, the story of that prosecution.

—DO

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Economist William F. Rickenbacker answers 5 key questions, concerning the coming

WORLD-WIDE CRASH:

WILL THERE BE ANOTHER DEVALUATION? HOW MUCH? WHEN? WHEN WILL DEVAUATION STOP?

Yes, there will be further devaluations of the dollar. The price of gold, in terms of the dollar, must rise to about $150-$200 an ounce before the U.S. gold reserve is enough to settle the external debts of the U.S. Every political administration hopes to avoid the drastic step of announcing, through a terrific devaluation, that the U.S. has been bankrupt all these years. So every political administration — including the present one — will hope to defer the ultimate accounting, by going through the charade of itsy bitsy devaluations. I would expect the U.S. to devalue regularly, by 10 or 15 per cent, year by year, until the price of gold reaches the $200 level, or whatever level is required to settle the external debts. But the longer the process takes, the higher the debts will be, too.

HOW DOES THE FOREIGN MONEY TURMOIL AFFECT DOMESTIC INVESTMENTS?

The connection is indirect. The turmoil leads to uncertainty and loss in foreign exchange operations: this affects U.S. companies with a large portion of their business overseas. The uncertainty leads to protectionism and interventionism on the part of governments (we are in that phase now, and in a big way), and this puts a further crimp on international sales and revenues. If the turmoil and the interventionism last long enough, the effects of a general economic slowdown will filter through to companies that are considered "domestic." No company is actually 100 per cent "domestic." Since international trade *exists only because the international specialization affords real savings* and efficiencies, any breakdown of international trade involves a rise in real production costs around the world — or a drop in living standards. International monetary turmoil is, in the long run, bad for stock prices. But the drop in stock prices can take place overnight, if nerves are touchy.

HOW CAN I AVOID BEING WIPED OUT BY THE COMING WORLD-WIDE DEPRESSION?

Clean out your investment portfolio, getting rid of companies that are exposed on the front line of international trade. Look for companies with strong domestic operations (a "natural monopoly" such as domestic air freight is the right idea). Avoid weak currencies. Transfer a good portion of assets out of money itself — into precious metals, or *shares in gold and silver mining companies.*

IS IT TOO LATE TO INVEST IN SILVER?

The long-term trend of the silver price is surely upwards. But the price has gone up 50 per cent in the last year or so, and you can't expect that kind of rise every year. Industrial use is rising about 10 per cent yearly. Production is not very responsive to new demand, because most of the production is a byproduct of base metal mining operations. But over five or ten years, silver bullion should do better than *most of the blue chips.*

IS IT TOO LATE TO BUY GOLD?

No; but gold, too, has swept upwards in price, the last year or so. The official price and the market price will meet, sooner or later, at the level of $150-$200, so that we can still look forward to a substantial price rise. Every long-term investment portfolio should have at least some exposure to precious metals, gold being the best of the lot; but it would be imprudent to forget the claims of good diversification.

Worst Depression In History?

Free Market economist William F. Rickenbacker has built his reputation for superbly accurate financial analysis on this simple fact: money markets . . . stock and bond markets . . . precious metals and other commodity markets must *always* be treated as *PEOPLE who are operating the law of supply and demand with unfailing dependability.* The people who make these markets can not be manipulated or fooled indefinitely by monetary "managers" who think that they can defy the natural laws of economics by fixing the price of gold or by falsifying the real value of a currency, as they have sought to do with the International Monetary Fund.

How well does Bill Rickenbacker's concept of free market economics work? In his book, *Wooden Nickels* he predicted that silver coins would *vanish* and that the price of silver would skyrocket. In *Death of the Dollar* he predicted the current international monetary crisis . . . the devaluation of the dollar and the accelerating inflation that are here now. In his investment advisory service, the RICKENBACKER REPORT, he continues to analyze earth-shaking monetary events yet to come — events that could trigger the worst depression in history and wipe out all but the most hard-headed, practical-minded investors.

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FOR THE RECORD

■ Cooling it on Watergate: Sen. **Howard Baker**, back from August recess, says he isn't sure continued TV exposure of the Watergate hearings is a "good thing"; the tide, he says, seems to be turning against it. . . . Sen. **Daniel Inouye**, although he voted with the Committee to demand the tapes, now says he doesn't believe they are essential to the Committee's investigation or final report. . . . According to **Lou Harris**, the American people now feel, 50 to 44 per cent, that the press and television have given Watergate "more attention" than it deserves. In July, the feeling was, 44 to 40 per cent, that the coverage was "not excessive." . . . The real Watergate question, says columnist **Stewart Alsop** is: "How could people who were clearly not morons have been such goddam fools?" . . . **Evans & Novak**, in their newsletter, characterize the present White House press corps "as the most antagonistic and hostile press corps in modern memory."

Cookson, *London Evening News* Ben Roth Agency

"I understand she went berserk and blew their life savings this morning."

■ Reports from the scene are that **John Connally** wowed them at that Republican state banquet in San Diego, California a fortnight ago and was a big hit, too, at meeting with Republican National Committee in Washington a week later. Sample Connally oratory on Ronald Reagan's home turf: "I have left the Democratic Party of my father's past to join the Republican Party of my children's future." If he decides to run, Connally told reporters, it will not be "as a reluctant candidate." . . . Sen. **Charles Percy** didn't include Connally in his list of possible GOP nominees in '76. He named himself, **Spiro Agnew**, **Nelson Rockefeller**, and **Ronald Reagan**, said it would be "rougher [for him] to win the nomination than the election," and vice versa for the others. . . . Recent soundings show Agnew's stock down both with Republican voters and with GOP political leaders in wake of Maryland scandal. . . . *Human Events* dropping minibombshell with statement that **Barry Goldwater** has not "ruled out the possibility" of a presidential race in '76.

■ Closer at hand: Sen. **Harry Byrd** (Ind., Va.), neutral in recent Virginia races, has come out for Republican **Mills Godwin**, running for governor this year. Godwin, said to be slightly behind independent **Linwood Holton** at this point, was Byrd's campaign manager in '70. . . . Walter Reuther's nephew **John Reuther**, who works for Ford, may make a race of it for the congressional seat in Michigan now held by Republican **Marvin Esch**. . . . And conservative Rep. **William** ("lighght") **Scherle** (ADA 0, ACA 95) is interested in seat to be relinquished by Sen. **Harold Hughes** of Iowa next year. Hughes, a dark dark horse in '72 presidential sweepstakes, is quitting to become a lay preacher.

■ Eighty French journalists appealed to Peking for visas to accompany President **Georges Pompidou** on his trip to the Mainland. The only one not to get it was the correspondent for the Communist (Moscow-oriented) *L'Humanité*, who will therefore not make the visit he would otherwise have made to the Soviet Embassy in Peking, at the end of **Anti-Revisionist Street**. . . . **Peking**, incidentally, has denounced the distribution in **Taiwan** of ten thousand copies of *Jonathan Livingston Seagull* because such romantic reading might distract Taiwan's youth "from the just struggle for unification" with the Mainland. . . . Peking has also suspended negotiations under way with **Toyota** motor company because some Toyota ads refer to Taiwan as the Republic of China. . . . In the **United Nations**, China has formally asked that Chinese be made an official working language (as are English, French, Russian, and Spanish). . . . Boca grande to boca grande: **William F. Buckley Jr.** has been named a U.S. Delegate to this year's UN General Assembly, will fill the seat on the Human Rights Commission first occupied by **Eleanor Roosevelt**.

■ Practically stillborn, the newest Communist front, the **U.S. Committee for Solidarity with Chile** whose first (and last) hurrah was September 4 rally in front of the ITT building in NYC. Among the sponsors: the CP youth affiliate, Young Workers Liberation League, the pro-Fidel Venceremos Brigade, the National Lawyers Guild, the Third World Women's Alliance, etc.

■ Shades of **John L. Lewis**. When AFL-CIO President **George Meany** was asked in formal *U.S. News* interview whether he felt Secretary of Labor **Peter Brennan** was doing an effective job, he replied, *tout court*: "Blah."

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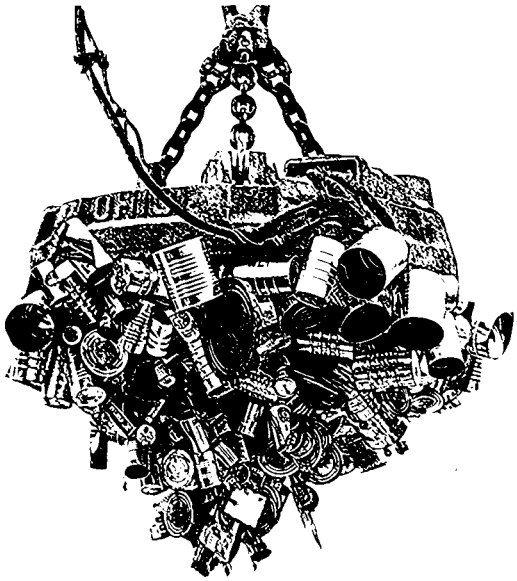
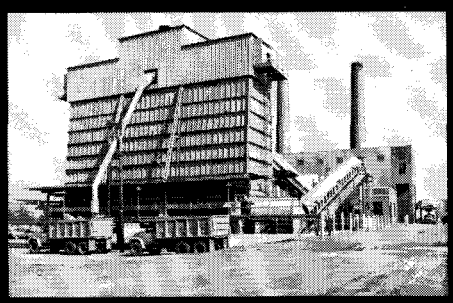
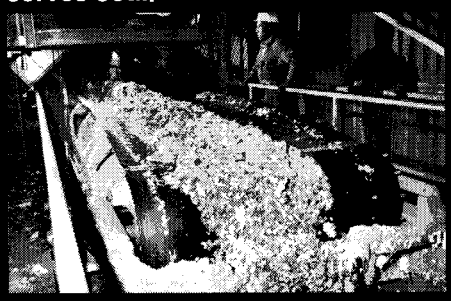


St. Louis Converts Garbage Into Energy



In *St. Louis, enough electric power to serve 25,000 homes is generated by mixing garbage with coal in a conventional boiler. This reduces air pollution, saves landfill and conserves coal.



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*St. Louis Solid Waste Demonstration Project is funded and operated by U.S. Environmental Protection Agency, City of St. Louis, Union Electric Company, and American Iron and Steel Institute.

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by John A. Miles. Abortion seems to me to be a symptom of the will to suicide. Viewed externally and objectively it appears homicidal. But if one sees a child in the womb as a more intimate part of a woman's being than an arm or a leg, then the destruction of a fetus seems more self-destructive than murderous, considered as an act that reflects the way a woman feels about her self.

As a public issue, in the context of a war that has also been suicidal (it is simply too apparent that the Vietnamese war wasted the U.S. Army by a strategy of defensive warfare), abortion is indeed symptomatic. And if it is coupled to the gutting of our universities and, not too tenuously, to the current acceptance of pornography, a social context is found for abortion that is all too painfully suggestive (pornography itself is suicidal in that the annihilation of identity is its deepest characteristic).

And lastly the suicidal import of abortion is demonstrated in the technical language so brutally used to obscure the very humane meaning of birth. That the Supreme Court can carve the prenatal period into three neat sections and prescribe to the week when a fetus may and may not live is perverse.

Silver Spring, Md. EDWARD F. BRONSON

Von Dreele: Hiss! Boo! . . .

I give here two quotations, one from W. H. von Dreele in the August 17 *NR*, the other from *Webster's Third New International Dictionary, Unabridged* (1967): "Amuck/ The word is Indonesian; it means/ You've screwed up royally, and now you're stuck"; "amok or amuck *adv.* (Malay *amok*) 1: in a murderously frenzied manner, 2a: in a violently raging manner . . ."

That an atrocity like this was perpetrated on the pages of the magazine of the meticulous Wm. F. Buckley Jr. is hard to believe. (As you can see, "amuck" has nothing to do with "muck," and it is no doubt this resemblance that caused von Dreele to screw up royally.)

The crime is compounded a few lines later: "One runs amuck when one runs out of luck,/ And nothing's left but tapping SOS."

W. H. von Dreele is noted for his flights of fancy, but I doubt if even he would characterize a man in a murderous frenzy as "tapping SOS."

PETER J. NYIKOS
Aberdeen Proving Ground, Md.

. . . Hurray!

I have always delighted in W. H. von Dreele's verse, but his recent hymn of hate to that pompous stuffed shirt Weicker ["Pet Hates," Aug. 3] gave me the most exquisite pleasure. The only moment among the very few I have spent on those

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hyper-hypocritical hearings which really rewarded me was Alfred Baldwin's set-down of Weicker when the latter demanded "everything" that happened when someone, whose name now escapes me, returned to the room where Baldwin was monitoring the wiretap. "Everything?" asked Baldwin, with a dimpled smile which would have warned anyone less pompous than Weicker. "Everything!" roared Weicker, with all senatorial majesty. "Well," said Baldwin, "he said he wanted to go to the bathroom."

Please, now let Mr. von Dreele turn his talents to that flatulent fraud Ervin, who is Senator Claghorn of the old radio shows reborn.

Berwick, Me. ALSTON H. CHASE

Pearson College

I was surprised to hear of the existence of Pearson College, the subject of Russell Kirk's essay, "The Sin of Pearson College" [July 6], but not surprised at the peril it is in.

I think Mr. Kirk would be interested to know that another school has a similar and more comprehensive program. St. John's College, with campuses in both Annapolis and Santa Fe, has a four-year program consisting of biweekly seminars on the "Great Books," a language program devoted to reading and translating Greek and French authors, and both mathematics and laboratory tutorials ranging in focus from Euclid to Einstein, and from Lavoisier to Newton.

I have spent two years at St. John's and have found them to be the most enlightening and exciting of my life so far.

The peril of St. John's does not lie so much in the contentions of its detractors as in the apathy of its supporters and general ignorance of its existence.

Colleges such as St. John's and Pearson need not only the attention of people concerned with learning but of those who can help keep them alive through monetary donations.

Oakland, N.J. ORIANA RODMAN

Sharing with Mr. Kirk certain misgivings about the direction of higher education, I am comforted by the curriculum that Pearson College has offered and appalled by the possibility of its termination.

Mr. Kirk's ever-dwindling "Utopia" could certainly use replenishing. As a recent graduate of Xavier University in Cincinnati, I wish to call his attention to that school's Honors Bachelor of Arts Program which I and 15 others have recently completed.

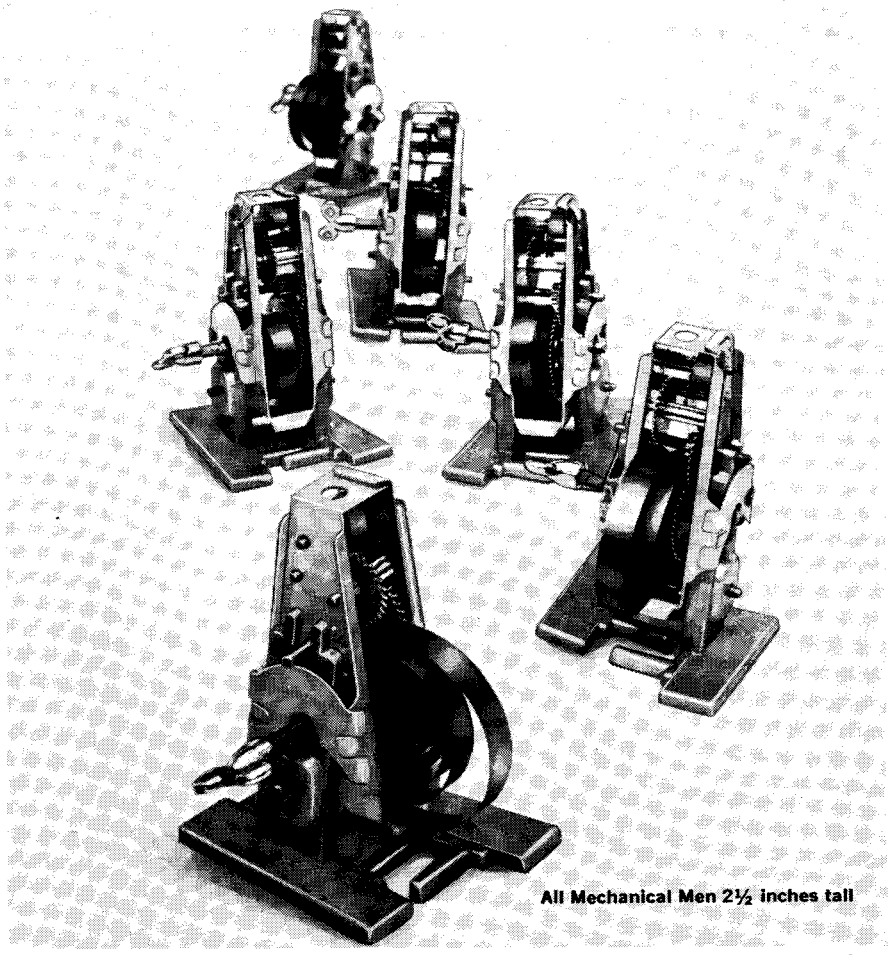
"This curriculum," reads the program's catalogue, "was instituted in the belief that its values meet the needs of the day for Christian humanism. It attempts to build a security based on those things that are themselves secure—the great languages and their literatures; the nature of science; the history of human thought and action;

(Continues on page 1070)

The Mechanical Man

A CLASSIC TOY MECHANISM BECOMES A WHIMSICAL LITTLE "MONSTER"

Own a gang of 6 for only $5.95



All Mechanical Men 2½ inches tall

Remember the good old days when they really knew how to make mechanical toys? They made them out of heavy, stamped metal, not plastic. The toys had powerful wind-up motors and lots of whirring, clicking reduction gears that seemed to keep running forever. We used to take the toys apart because the motors were really the most fascinating part.

Well, we discovered a whole warehouseful of top-quality, spring-and-gear mechanisms that were originally meant to power "walking" robots. If these Mechanical Men "monsters" were 6 feet tall, they'd scare the daylights out of you. But at 2½" in height, they're simply captivating. Fascinating beyond belief. They're almost funny-looking . . . almost frightening . . . and completely amusing. They don't just walk. They *lumber* along . . . with a determination even a Dr. Frankenstein might approve of (and laugh at).

The Mechanical Man is put together with the same precise care Swiss clockmakers use to assemble fine timepieces. The frame (the Man's "body") is made of heavy, cadmium-plated steel. Inside beats a "heart"—a spiral torsion spring—of tough, high-tensile, carbon alloy steel. The wind-up key is built into the body, so it won't get lost.

As the spring unwinds, 9 metal gears (5 of solid brass) go into action. A gear-operated crankshaft rocker mechanism propels the oversize "feet" up and down—and a governor regulates the speed. Just looking at and listening to all the gears turning . . . and seeing how the spring slowly unwinds and expands outward like a puffed belly . . . and watching the big flat feet as they klomp along moving our Man forward like a miniature King Kong . . . is a sight guaranteed to fascinate you! One winding will keep him walking for over 60 seconds (that's a lot of walking) . . . and if he should happen to fall, he'll push himself along, lying "flat on his face."

The Mechanical Man walks on tables, desks, on the floor. Smooth surfaces or rough. Even up a medium size hill. Sometimes he'll go straight. Often he's unruly and will wander all over the place. (You simply can't depend on him for anything—except a good show!) You can race *one against another, or all 6 together.* You can experiment with "clothing" them to resemble creatures from outer space . . . or earthlings. They'll provide *hours* of educational fun for the kids. Hobbyists and collectors will find them intriguing. They're absolutely marvelous for relieving executive tensions (some of the more imaginative folk in our office can testify to that). *Order today.* Send check or money order. N.Y. State residents add appropriate tax.

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THE WEEK

■ Last spring the Florida legislature changed the name of Cape Kennedy back to Cape Canaveral for official state designation. Under continuing pressure from Florida, the U.S. Interagency Board on Geographic Names (we'll bet that's a new one for most of you) will decide, next month, whether to follow suit. There is no truth to the rumor that the Massachusetts legislature is about to change the name of a certain well-known vacation spot to Kennedy Island.

■ In 1972 Richard Nixon won the greatest electoral victory in—how did he phrase it?—the history of *homo sapiens*. And his coattails were how long? About as long as he was on supporting his fellow Republicans personally and financially. Not, that is to say, very long. And not as long as they might have been had Mr. Nixon been willing to sacrifice a few of his historical and superfluous winning points. Now, fortunes reversed, Mr. Nixon has pledged that he will campaign for Republicans in 1974 and 1976. Where were you when we needed you?

■ The Office of Management and Budget is directing an interagency committee whose research may result in eliminating federal use of the word "poverty." An Orwellian distortion of language? Defining the poor out of existence? Some bureaucrats argue that the word is too "value-laden" and "politicized," and lacks the technical precision necessary for their uses: Besides, cash income is an unreliable index of poverty, since it doesn't include benefits like food stamps, subsidized housing, and Medicare. (A House subcommittee found that over half the welfare families it surveyed participated in more than one welfare program, with a fifth participating in five or more.) But HEW statistician Mollie Orshansky contends that figuring in non-cash benefits like expense accounts, vacations, free tuition, etc., might *widen* the gulf between poor and middle class. But then if you figure that the poor get 52-week vacations, it might close it up again, unless not working isn't the same as a vacation (since one forfeits benefits by working) . . . Oh, hell, *you* figure it out.

■ The Algiers conference of nonaligned nations was notable for the proportion of leaders who dared to leave home for four days—Salvador Allende, who had been billed for a star role, being a notable and unfortunate exception. Those who showed up included strongmen (Tito, Boumédienne, Castro, Qaddafi, Sadat, Gowon, Amin) and even non-governments (Sihanouk, the Vietcong Provisional Government, and the Palestine Liberation Front). Everybody agreed, *con brio*, that exploited nations have the right to nationalize and expropriate, and there were spirited denunciations of imperialism and neocolonialism. Not everyone agreed on details, however; Fidel Castro asked rhetorically, "How can anyone call the Soviet Union imperialist?" And the Arabs were a little sore when countries like Peru and Burma dragged their feet in the war against Zionism. Significantly, the conferees abandoned even the pretense of democracy; there were no Declarations of the Universal Rights of Man, only the rhetoric of "self-determination." Thus, much of the postcolonial Third World dissolves increasingly into feudalistic despotisms, meaning, in practice, the right of Ugandans to be tyrannized by other Ugandans.

■ If a recent London *Sunday Times* "exposé" is accurate, we now know what Rhodesia means to do with those Boeing-707s it mysteriously bought earlier this year: Add them to its schedule of sanction-busting flights to Europe, via Gabon. The *Sunday Times* says Rhodesia has for five months been using a DC-8, code-named *Tango Romeo*, to fly Rhodesian beef to Athens (the beef is reportedly labeled as coming from South Africa, against which there are no sanctions), earning the foreign currency it needs so badly. *Tango Romeo* then earns more foreign currency by carrying air freight from Holland, Switzerland, and possibly France to Gabon, whence it is reflown in non-Rhodesian planes to all parts of Africa. If *Tango Romeo* continues to operate at its present rate, it will have earned more than $10 million worth of foreign exchange in its first full year; adding a Boeing-707 could add more millions. If the *Sunday Times* article is noticed in Africa, though, *Tango Romeo* may have to change its flight plan: It has been routinely flying through Zambian and Libyan air space, masquerading as a passenger plane.

■ The Nixon Administration and Senate liberals are arm-in-arm in an effort to re-impose sanctions on Rhodesian chrome. The sanctions were lifted in 1971 under legislation sponsored by Virginia's Senator Harry Byrd, who thought it more hygienic to deal with Rhodesia than with the other major supplier of the vitally important chrome, Russia. Giving voice to the Administration's position, John Scali, U.S. ambassador to the UN, told the Senate Foreign Relations Committee that the sanctions should be re-imposed because it's rather silly not to trust the Russians and our trading with Rhodesia is hurting our image in black Africa, which is wonderfully conscious of the civil rights of all Africans—well, some of the time. If only Scali, Senate liberals, and the Nixon Administration were as zealous about the civil rights of Russians.

■ What does Mao Tse-tung think of the nature of man? What does improving the quality of life mean to someone in Saudi Arabia? Thanks to New York Governor

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LETTER FROM WASHINGTON

All eyes are on Attorney General Elliot Richardson. The shape of Republican Party politics may be determined for years to come by his ruling on the question of whether Vice President Agnew can be indicted and tried before possible impeachment proceedings. The prosecutors in Baltimore have asked for this ruling. How independent will Richardson be in making this decision? No one knows what, if anything, is being said between the President and his Attorney General these days. But Washingtonians note that Richardson has led a strangely charmed life in Washington. He enjoys a good relationship with the media. Ask the average reporter to categorize Richardson and he will say, "liberal." And there is some basis for that.

He thrived in Massachusetts politics. He is a Harvard man, a Brahmin. In his brief stint as Secretary of Defense he took to the Pentagon a slew of doves. On the other hand, Mr. Nixon's first move in difficult times is to appoint Richardson to something. Perhaps this is because Richardson is a team player. While in the State Department he defended the 1970 Cambodia invasion. As Secretary of Health, Education, and Welfare he cooperated with the Administration efforts against forced busing. And he was a solid supporter of the President during the Christmas bombing of Hanoi. In short, it is not clear what he has done to earn the affection of the media. It is clear why, enjoying the affection, he has been so useful as a team player for the President. And it is a mystery how he will rule about Mr. Agnew. The question is: Will his ruling be his, or will it be additional evidence that he is a team player?

Spiro Agnew's lawyers, incidentally, have been in touch with Otto Kerner's lawyers. Kerner, a federal judge, has been sentenced to a $50,000 fine and three years in prison in connection with a bribery scandal. He was indicted, tried, and convicted without being impeached. He has refused to resign from the Seventh Circuit U.S. Court of Appeals. In appealing his conviction Kerner is arguing that the trial court did not have jurisdiction to try a federal judge who had not first been impeached.

■ Remember the White House story that the break into the office of Ellsberg's psychiatrist was to enable the CIA to do a "psychological profile" of Ellsberg? Said presidential assistant Charles Colson to E. Howard Hunt, the Ellsberg case "won't be tried in the court, it will be tried in the newspapers." Said Hunt to Colson, "I want to see the guy hung, if it can be done to the advantage of the Administration." Colson: "We might be able to put this bastard into a helluva situation and discredit the New Left." The Ervin Committee has a transcript of this taped telephone conversation between Colson and Hunt. It includes this exchange: Colson: "Let me ask you this, Howard, this question. Do you think with the right resources that this thing, the Ellsberg trial, could be turned into a major public case against Ellsberg and co-conspirators?" Hunt: "Well, with the proper resources." Colson: "Well, I think the resources are there." Asked recently what he had meant by "resources," Colson said, "I really don't know what I had in mind." Ervin Committee investigators think he had in mind support for the burglary, and they think the transcript indicates that political advantage, not "national security" concerns, motivated the burglary.

■ Andrei Sakharov, the embattled Soviet nuclear physicist, may soon, together with Aleksandr Solzhenitsyn, be a defendant in a show trial in Moscow. But until then, he is giving the Kremlin fits—and he is making life uncomfortable for the 23 U.S. senators who still have not joined as co-sponsors of Senator Henry Jackson's amendment regarding Soviet freedom of emigration. Jackson wants to withhold trade concessions from the Soviet Union until the Kremlin agrees to let those who want to leave the Soviet Union—especially Jews—depart for the nation of their choosing. Now Sakharov, speaking from Moscow, has endorsed the Jackson amendment.

■ FISCAL BRIEFS: Remember the CBS television exposé *The Selling of the Pentagon*? It dealt with public-relations spending by the Department of Defense. Well, there will be no selling of Health, Education, and Welfare. Secretary Caspar Weinberger has slashed the HEW pr staff by 77 per cent. HEW will muddle through with only 249 pr employees. Weinberger also ordered termination of 275 Department publications, leaving a mere 1,100 rolling off the presses. . . . The Air Force has announced that the most recent production delays in the B-1 bomber program will add $1.1 million to the cost of each plane. In the unlikely event there are no more unpleasant surprises regarding costs, each plane will cost only $56 million. . . . The government continues its determined fight against the government's determined fight against inflation. Thus the Agriculture Department has announced a 13 per cent increase in the price support for milk. —CATO

Nelson Rockefeller we may finally find out. Rockefeller is chairman of the National Commission on Critical Choices for America and he wants answers to questions like the above. The cost? Around $20 million. His?

■ The unclouded crystal ball: "The prospect of a military coup or civil war, or both, changes from possible to probable" (*NR Bulletin*, dated Sept. 7, sent to the printer August 23). And as for the competition: "Allende may weather the crisis" (Lewis H. Diuguid, *Washington Post* assistant foreign editor, in feature article on the *Post*'s editorial page, Sept. 11, the day of the coup).

■ Postscript: In Allende's last week in office prices in Chile were going up at the rate of 1 per cent a day. . . . Juan Perón, on the eve of his election to the presidency of Argentina, commented that he had urged Allende to work for changes "within the system, and through legislation," but that Allende, "poor man," had not followed his advice. . . . And three ships from the German Democratic Republic (East Germany) were unloading $13-million worth of foodstuffs and goods in Santiago, gifts from East Germany because Chile "has become for [East Germans] the symbol of revolutionary struggle against imperialism, exploitation, and oppression, for national independence, democracy, and liberty." The East Germans can kiss those gifts goodbye.

■ An advertisement in *Aviation Week & Space Technology*, published in its entirety: "Our newest, super com-

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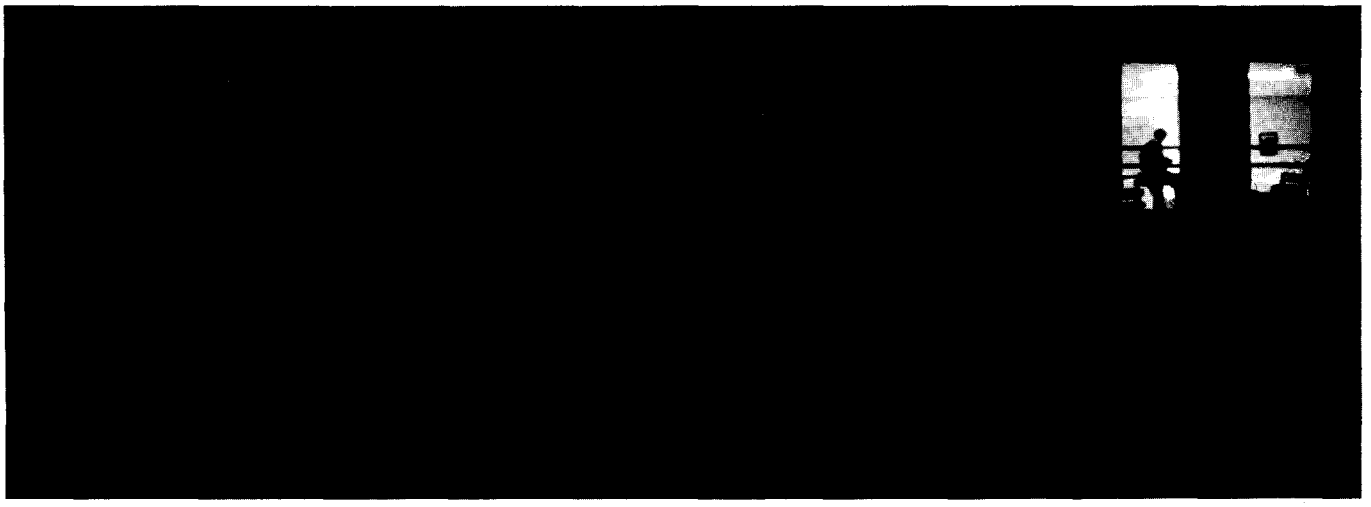

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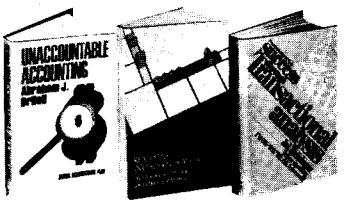

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■ The sternwheeler *Bertrand*, built in 1864, hit a snag on its maiden voyage up the treacherous Missouri River and sank with a cargo of mercury, whisky, gold, and sundries. Then the river channel shifted, and nobody could find the wreck until Jesse Pursell and Sam Corbino of Omaha went treasure hunting five years ago. Since the wreck lay in a federal wildlife refuge, the hunters had to sign a contract with the General Services Administration splitting any treasure they might find 60-40 with the feds and giving any "artifacts" to the government under the 1906 Act for the Preservation of American Antiquities. Pursell and Corbino found the *Bertrand* and spent more than $50,000 recovering her treasure. They found canned vegetables, pickles, plows, tools, soap, candlesticks, some two million items in all. The most valuable find was thousands of bitters and whisky bottles, worth $2 million in the collectors' market, the hunters contend. "Artifacts," said the government, and took it all except for a small amount of mercury. "Piracy," say Pursell and Corbino.

■ For the record: A Los Angeles rock radio station is offering winners of a promotional contest a weekend in a Hollywood motel with a waterbed, X-rated movies on closed-circuit TV, $94 in cash, and "four bottles of cheap wine."

■ Even if you're none too keen on the idea of porno pay-TV (see above), there seems less and less place to hide from creeping relevance in commercial television broadcasting. You've come to expect Archie's views on abortion and Maude's on masturbation. Maybe you've seen the sex in the soapers. This season *Medical Center*, a series about common, ordinary doctors, will deal with lesbianism, male menopause, wife-swapping, and other things kids learn about playing doctor. History is not clear about how much relevance one nation can survive, but it is plain that we are near the limit.

■ More comforting data from the Potomac swamps: 1) Montgomery County, Md., a northern suburb of Washington, D.C., now enjoys the highest median family income of any large U.S. county; 2) Arlington County, Va., a southern suburb, boasts the nation's highest per capita income, $5,446 a year, or $234 more than the under-privileged souls of Manhattan. Both counties are of course populated by federal employees. Of Arlington County's 170,000 population, 64,000 are federal troughers and bring home some $925 million a year.

■ Being launched: *The Occasional Review*, a scholarly journal. The first issue includes essays by George Carey, Peter Stanlis, M. E. Bradford, Donald Atwell Zoll, and others. It will be published by World Research, Inc., 11722 Sorrento Valley Road, San Diego, Calif. 92121.

■ AMERICA AND THE FUTURE OF MAN: *Instructors to be chosen from 155 participating colleges. Hours flexible. Credit optional. Undergraduate.* This course, sponsored by the National Endowment for the Humanities, will be given by 220 newspapers having a total of approximately forty million readers, and will consist of twenty newspaper articles written by professors from leading colleges and universities. Two "contact sessions" at a nearby college and two exams required for credit. Supplementary materials, available for $10, include a board game entitled "The Future." Prerequisities: Sesame Street, Monopoly I.

■ The Food and Drug Administration, having bowled over the breakfast cereal industry for lack of nutritional values, is now readying guidelines to keep cereal makers from putting more vitamins and minerals into cereals than necessary. Snap. Crackle. Grump.

Darkness at Noon, 1973

The strategy of detente as pursued by the Nixon Administration and, with varying degrees of enthusiasm, by other Western governments, springs from a root assumption: that interlocking economic and other interests will create a degree of Soviet dependency and that this, in turn, will tend to soften and normalize the Soviet regime itself. Secretary of State-designate Henry Kissinger subscribes, at least in oblique terms, to this root assumption. The Soviet regime, he notes, is no longer "revolutionary." In the Kissinger lexicon that observation signifies that the Soviet regime is evolving in a direction that will enable it to take its place in President Nixon's "structure of peace." In this view, the Soviet Union might not ever become the sort of place in which you would like to while away a month or two, but at least it will take its place as a nation among others.

The trouble is that all present indications point the other way. Elsewhere in this issue (see "The Protracted Conflict"), James Burnham discusses the analysis of

Rx for Mr. Nixon

Say flat out how you hate the bus.
Say FAP's a ghastly incubus.
Cashier the lot at OEO.
Be nice to Ian Smith & Co.
Remember Solzhenitsyn's cause.
Let MIRVs-from-Russia give you pause.
Then pour yourself a slug of gin
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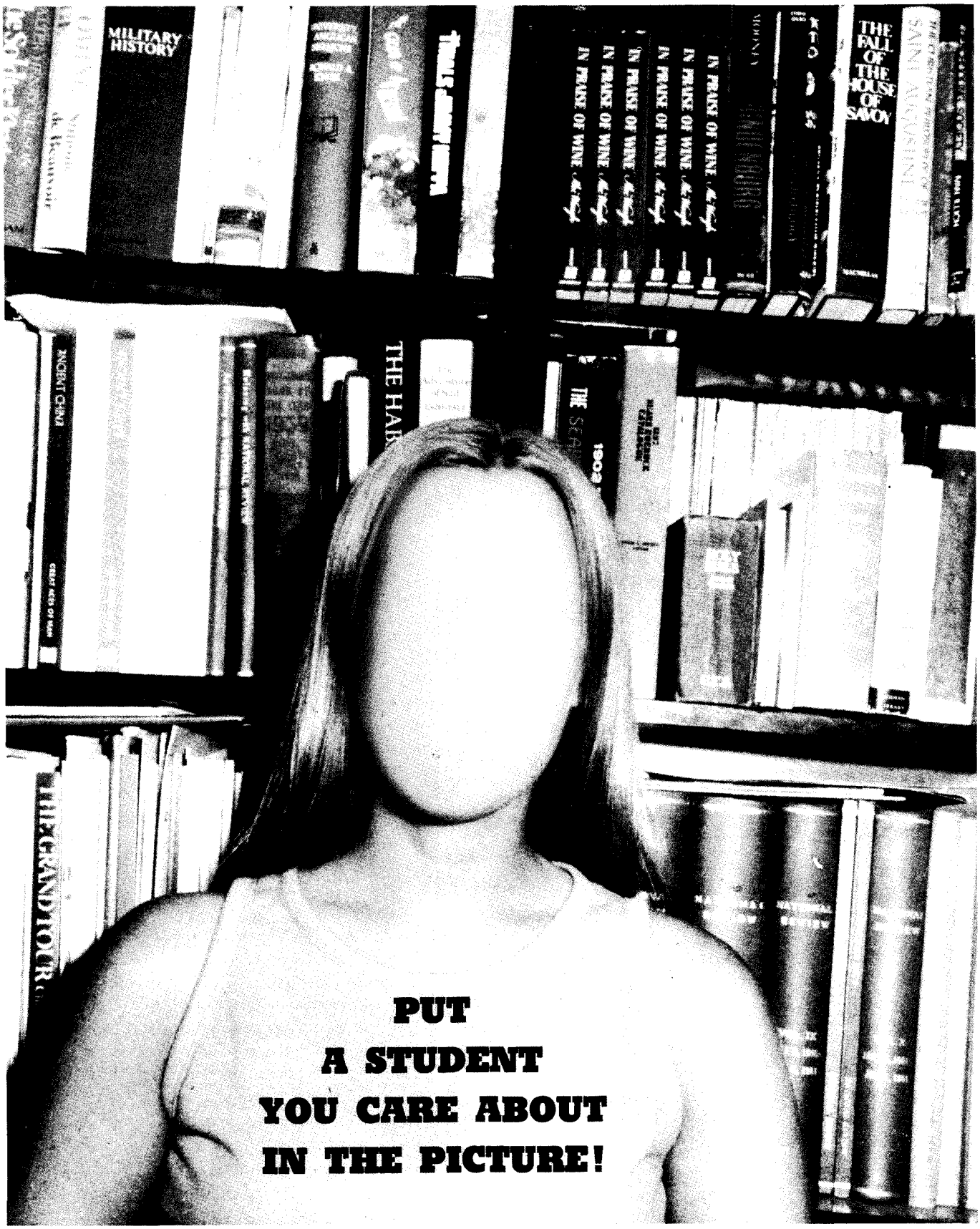

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Soviet politics put forward, at great personal risk, by Soviet physicist Andrei Sakharov, who sees the regime becoming more rather than less rigid and, because of its internal character, posing an increasingly serious threat to the rest of the world. In Sakharov's view, politically unconditioned deals with the West merely strengthen the regime, without changing it, and aid it in its grab for world power.

Ominously enough, the recent "confessions" of Pyotr Yakir and Viktor Krasin signal a heavy-handed revival of Stalinist techniques. The recantations were obviously stage-managed by the KGB. Yakir himself took care before his arrest to tape-record a statement in which he anticipated arrest and coercion and said that he would probably be forced to say things against his will. His capitulation came in due course, but the earlier statement preserves the real Yakir: "If they beat me I will say anything. I know that from my former experience in camps. But you will know it will not be the real me speaking."

These "trials" and "confessions" would seem to have only one clear purpose: to intimidate and silence all internal criticism of the regime, and therefore—detente or no detente—to foreclose any internal softening or normalization. In the opening stages of detente, the Soviet Union is becoming more, not less, of a prison. The portents remain bleak.

Back to Normalcy

There has all along been an abortive, sterile, and at the same time fraudulent side of the Watergate campaign as conducted by such of its shrillest participants as the *Washington Post*, the *New York Times*, some senators, and some of the TV people. This is the result, in the last analysis, of a strategic deficiency. They have stated or implied that the Watergate revelations show the conduct of the President's personal staff, and of the President himself both on his own account and as the responsible chief of the staff, to have been criminal and immoral, and their rhetorical tone is appropriate only for crimes and immoralities of the gravest sort. But such an assessment inevitably poses the question: What follows? At this point *Post*, *Times*, & Co. start mumbling, and take refuge in pious abstractions.

If we are convinced that the head of government is evil and is guilty of grave crimes, there is only one serious conclusion for us to draw: to get him out of office, by formal impeachment or by somehow inducing or forcing him to resign. But neither *Post*, *Times*, & Co. nor the Congress is ready and willing to draw this conclusion, and by their silence thereto they prove that in a fundamental sense their campaign on the Watergate issue is *not* serious. A realization of this lack of seriousness may be the basic reason why the general public is, by many indications, getting impatient and bored by Watergate. If the voters thought the hearings, investigations, and trials were really "going somewhere," they would not be bored by the mere fact that the proceedings are lasting a long time. But this seems to be a story without a climax. The public shrugs: It's time to fish or cut bait.

Of course, from the point of view of audience satisfaction the political death of the President-protagonist is not the only possible climax toward which an attention-holding plot might be moving. It could equally well be his triumphant vindication. But this, too, more and more seems excluded in the drama manqué of Watergate. Whatever the degree of the President's personal complicity in the sordid episodes, they were in truth sordid, and it is not disputed that many of his staff and associates were the actors in them. Whatever his role, Mr. Nixon is soiled by the dirt that surrounded him. Moreover, it is obvious to everyone that the President has not at any point "come clean": He has never, in fact, himself dealt with the issues point by point.

It looks, therefore, as if the Watergate affair is one more of those twentieth-century phenomena not destined to end with a bang and, indeed, not likely to end even in a whimper for a long time to come. There is just no way to bring it to a quick and merciful end. The Senate hearings will be speeded up a bit and will no doubt fade soon from the TV screens, but there will be reports and speeches following up the hearings, and other hearings to come, into which Watergate events will inevitably intrude. The grand jury proceedings, court orders and injunctions and sentencings, trials and appeals may last a lifetime: Never have so many lawyers had such a pudding to pluck plums from. Naturally the Democrats are not going to renounce the Watergate gambit, and the media, capable of keeping "McCarthyism" alive for more than a quarter-century, are surely not going to permit Watergate to rest in peace.

But—except, of course, for an unexpected and astonishing turn—the ship of state will continue creaking along, even though the captain may be shaking in his boots and the officers and crew a bit surly. The vast bureaucratic apparatus of modern society has a momentum of its own that keeps it going no matter what is happening at the top—even, as the example of postwar Italy proves, when for months on end there is no government at all in office—and it has also an infinite smothering potential. Through the courts, the executive departments, the congressional committees, and the day-by-day routine, it is now smothering and, in its fashion, digesting Watergate. The President, last January's having been rendered inoperative, delivers a new State of the Union message and plans new foreign travel. And once again, after many months apart, Richard Nixon and the press have each other to kick around.

Allende Out

As we go to press, the smoke has only barely cleared above the presidential palace in Santiago within which Chile's Marxist President Salvador Allende and his government came to a violent end. Angela Davis was quick to issue a statement attributing Allende's fall to the CIA, but any CIA efforts would surely have been super-

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How would you like to beat the coming depression . . . to live securely and well during it (while everyone else is going under) . . . and perhaps make a fortune from it besides?

Regardless of what you think, it can happen to you!

You don't have to be a millionaire to live better than ever during a depression. You don't have to be a financial wizard to profit enormously from it! Thousands of men did it during the thirties. For many of them it was an era of golden opportunity. It can be for you too.

Right now, many economists are utterly convinced the depression is coming, soon, and the economic indexes support that contention right down the line!

THE EVIDENCE IS OVERWHELMING!

Certainly, the market is anything but sound and the European markets are in substantially worse shape.

We have been forced to devalue the dollar **twice** and these are only stop-gap measures! We still have a dangerously unfavorable balance of trade; we owe 80 billions in gold, but our monetary gold reserves total less than 15 billion!

We can't compete with the Japanese or Europeans right here at home in our own market-place, let alone overseas, not only because our labor costs are too high, but because our machine tools are obsolete and our manufacturing techniques are out-moded. (Our heavy industry remains virtually unchanged since before World War II, but the German and Japanese tools and techniques are **post** World War II and thus vastly more efficient).

Inflation is worse than ever and unemployment remains a serious problem . . . over 5% nationally and above 10% in some areas.

18,000,000 Americans are on welfare, over 4,000,000 are unemployed and 25,000,000 are living under poverty conditions!

In most urban areas, prime office space is vacant . . . in New York and other big cities, landlords are abandoning once lucrative properties. In the world of high finance, where the goal was diversification and the watch-word was acquisition, the cry is now **divestiture!** Pare down! Get ready!

Look at our cities! Municipal governments virtually bankrupt! A shortage of housing, an overabundance of people, a racial problem growing worse instead of better! Air and water polluted. Education deteriorating, drug usage and violent crime on the rise, Police, firemen, street cleaners and other civil servants demanding higher and higher wages, and no end in sight!

And it's the same story all over the world!

In the once prosperous Ruhr Valley, the blast furnaces are growing cold, the steel mills are shutting down, and heavy industries are grinding to a standstill. Unemployment in Germany, the most prosperous nation in Europe, is increasing rapidly and it's the same in Britain, Italy, France, the Scandinavian Countries and, in fact, throughout the world!

The economy is shakier now than at any time since World War II, it is getting shakier by the minute, and not only is an imminent depression a certainty in the minds of many economists, but in many areas of the nation and the world it has already arrived!

The question is no longer, "Is it going to happen?" The question is, "What are you going to do to prepare yourself, to keep your holdings intact, and even make money from the opportunities that invariably present themselves?"

You don't have to be a millionaire to turn the depression to your advantage! In every depression, there have always been men who made money while others were going broke. There have always been businesses that flourished while others were going under. There have always been stocks that were going up while most were going down.

And there have always been men living securely and well while others were scuffling merely to stay alive!

There are techniques to use, there are methods that work! You don't buck the tide, you swim with it. You don't fight the depression. You join it! And you do it with knowledge. With know-how. By knowing what to do and how and when to do it!

The techniques do exist! They are available, and you can learn them! Now you can get all the facts, all the figures, all the expert advice and information you must have, to know not merely how to survive during the coming depression, but how to make money from it! This specific, how-to instruction and advice is contained in a brand-new volume called

HOW TO BEAT THE DEPRESSION THAT IS SURELY COMING!

This is a hard-headed, how-to manual . . . 311 large pages of the most authoritative information and advice on every aspect of the depression and how to profit from it, by a practical, eminently knowledgeable Ph.D. in Economics who has been Business Analyst Editor of Business Week, Chief Analyst for what was one of the world's largest and most successful investment services . . . and is currently a Professor of Economics and Director of Finance and Banking at the University of Bridgeport.

In this brilliant manual, you learn everything that could be of interest and of value to you during a depression!

You learn which type of businesses flourish during a depression, and which types go under, and why!

You learn which stocks rose during the 1st great depression, which ones declined, which ones are likely to react during this coming depression, and how.

You read actual case-histories of men who made fortunes during the last depression . . . and of a few who lost them!

You learn how to take advantage of the incredible real estate values that invariably present themselves during a depression, and how to avail yourself of those opportunities even if you have virtually no capital to work with!

You get practical, specific, "how-to" advice on every aspect of handling your current affairs. Experts advise you on what to do about the real estate you now own, including the house you live in . . . what to do about your current job if your current situation is less than perfect . . . how to handle your personal and your business banking and much more of extreme value relative to banking.

You learn about incredible investment opportunities you can take advantage of with virtually no capital.

You learn time-tested techniques for building capital during depressed times and you get a wealth of other practical, usable information that ranges from some very interesting advice on short sales, warrants, puts & calls and commodities, to a cool, detached view of the market in general.

This is a thorough compendium of useful information and advice you need, not only for survival, but for money-saving, money-making investments. A wealth of specific information and advice that can help save—and make—a fortune for you in the difficult years that lie ahead!

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erogatory. Allende's own behavior in office was entirely sufficient cause, the only surprise being he lasted so long —this last a tribute to the all but superhuman restraint of the armed forces. During the past year Chile's inflation rate reached 300 per cent; the once prosperous economy was in such shambles that even the Soviet Union had declined to provide more than token aid; violence was widespread; paralyzing strikes were common; ordinary rights and liberties were at a discount. Allende, oohed and aahed over as the world's only "freely elected" Marxist head of state, had produced a calamity and called it socialism.

NATIONAL REVIEW has given detailed, even extravagant coverage to the events in Chile during the past two years because we were convinced that the experience in Chile would deeply affect the progress of the Marxist movement throughout the world. At this point, beyond the shambles in the foreground, a number of historical and theoretical points may be discerned.

1. The Allende experience will be important in the evolution of Marxist thought, and it has special meaning for the large Marxist parties in France and Italy. Allende believed he could bring about a Marxist revolution without abandoning democratic forms and without seizing control of the entire repressive apparatus of the state. It now looks as if the "Chilean road" is no go, and the orthodox Communist expectation correct: A genuine Marxist revolution must be both violent and totalitarian in order to crush the inevitable opposition to it. Allende, elected by only a third of the voters over a divided opposition, had no popular mandate for Marxist socialism. He could have imposed it only by a thoroughgoing totalitarian control. But could even a majority-chosen Marxist carry out a Marxist program without a totalitarian apparatus, in the teeth of rooted opposition? The answer seems likely to be no. The evidence of the "Chilean road," at least, supports the negative. The Marxist parties in France and Italy will now face the theoretical choice: Either they are dilettantes like Allende, or serious revolutionaries. And if they are the latter, their recent efforts to normalize their image will be seen to be a sham.

2. In classical anarchist theory, the General Strike was conceived of as the ultimate weapon to be used in bringing down the bourgeois state. In Chile, the middle class and sizable portions of the working class stood Bakunin on his head by using the equivalent of a General Strike to bring down Allende and end his revolution. This counterrevolutionary General Strike, it is important to note, was not the work of those familiar bugaboos, the big landowners or large corporate wealth, but of ordinary Chileans who had seen enough of Marxist revolution. (The "truck owners" in Chile, who had so prominent a role, are not big companies but for the most part individual drivers owning their own trucks.)

3. Among other useful measures, the military government has begun to round up some two thousand Uruguayan and Brazilian terrorists and subversives given asylum by Allende. Events in Chile will thus have a beneficial spinoff effect elsewhere.

4. Despite frigid relations between Washington and Allende, cooperation between the U.S. and Chilean armed forces has always been close.

5. The new government will have its work cut out for it in trying to rebuild the economy Allende wrecked. And civil war cannot be ruled out as a possibility.

Multinationals: Coming Attack

The multinational corporation may well be the most important economic and even sociopolitical creation of the period following World War II, providing actual international organization in contrast to the rhetorical

Dissent being crushed in USSR—News item

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organization proffered by the UN. With headquarters in the U.S., or Europe, or Japan, the multinational locates some or even much of its productive capacity and business organization elsewhere, seeking the site of the local market and being staffed primarily by local citizens. Variations on the basic model are numerous, as are the benefits.

Within the last few months the multinational corporation has become a prime target of militant Third World and Communist propaganda; the theme has also been picked up by more familiar liberal spokesmen, church groups, and the like. At the recent Commonwealth conference in Ottawa, Prime Minister Gough Whitlam of Australia, who frequently aligns himself with the Third World, launched an attack on the multinationals. British Prime Minister Edward Heath rebutted him. At the annual session of the UN Economic and Social Council meeting in Geneva, it became clear that Third World militants and their Soviet colleagues are determined to make the multinationals a major UN issue during the next year or two.

Despite current and future demagogy, informed opinion comes down on the side of multinationals. They have effectively created and developed markets; they provide jobs, training, and managerial experience for citizens of the host country; they stimulate the economy of the parent country; they reduce costs within the manufacturing process. No doubt certain reforms, largely of a technical nature, will be found in due course to be desirable, but by and large the multinationals have proved to be effective instruments of international development.

At Ottawa, Prime Minister Heath argued vigorously in their favor, citing Britain's own experience with them. A recent report undertaken by the London School of Economics concluded that fears concerning the multinationals are largely groundless. Increasingly prominent, their subsidiaries linking the nations of the globe, the multinationals may even limn the stable international order of the future. Which, in itself, would be enough to explain the coming attacks by Third World and Communist demagogues.

The Automotive Perfecta

One, two, buckle your shoe. Three, four, get into your car and close the door. Five, six, open the door and reach down and pull the seat belt out of that contraption in which, if the door is closed, it usually sticks. Seven, eight, turn *off* your ignition. You should not have turned it on in the first place. The sequence of the actions required to operate the "seat-belt interlock system," installed in all '74 cars, cannot be altered. Get that straight. Nine, ten, when, eleven, twelve, you've discovered how to hook what, in the technical manuals, they call the male plug into what they call the female plug, so hook it, and at this point in time you may activate the starting mechanism. And the engine may start.

Thirteen, fourteen, the public has resisted using seat belts in spite of convincing statistics attesting to the heightened safety they provide. Driver X may prefer to take her chances and should be allowed to do so if that were all that is involved. But seat-belt advocates claim that a driver who has a primary accident and continues moving is more likely to be able to avoid a secondary accident if she is strapped in position in front of the wheel. Nevertheless, car owners in droves can be expected to disconnect the devices, and the institution of fines for driving without seat belts would seem to be the next step.

Fifteen, sixteen, do not, before you get the engine running, lift your bottom off the seat while attempting to tuck your dress, coat, or lap rug underneath, or you will cause the sequential mechanism to return to "Go," thereby requiring your re-performance of all the preceding steps following the buckling of your shoe. Seventeen, eighteen, ask your bag of groceries to be kind enough to buckle up too. Nineteen, twenty, do not attempt to operate your vehicle from the back seat which is not, yet, connected to the system, lest you run into other complications.

Freedom of Inquiry at Berkeley

In recent years, scholars investigating the relationship between intelligence and genetic factors have come under repeated attack from liberals and leftists, as in the well-

Metternich at State

Painful as the Sakharov case is, I feel nevertheless that we must proceed on the course on which we are.
—Henry Kissinger

It takes me back to 1936.
Remember the Berlin Olympic games?
The nations came, ignoring politics
And all the portents prophesying flames.
Remember, most especially, the *names*:
Reynaud, Daladier, and Chamberlain
All agonized about their peaceful aims
While Hitler dreamed of lampshades made of skin.
It seems to me a scholar's discipline
Would warn him of the errors of the past;
That all totalitarians are kin
And all of their Siberias are vast.
Dear doctor, can't you sense the politics?
The overtones of 1936?

W. H. VON DREELE

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known cases of Jensen, Herrnstein, and Shockley. For the most part, such attacks have taken the form of harassment, disruption, insult, and the like—intellectually and morally outrageous, to be sure, but manifestations a tough-minded scholar could perhaps endure or ignore. But now at Berkeley, a remarkable new set of guidelines appears to give institutional reinforcement to the inhibition of research which was the clear intent of the informal guerrilla tactic of harassment and insult.

The new guidelines for research purport to protect the "human subjects" against physical, psychological, and social "risks." Here is the section defining social risk: "Social risks are related in the main to procedures that may place the reputation or status of a social group or an institution in jeopardy. Procedures designed to measure the characteristics of easily defined subgroups of a culture may entail risk if the qualities measured are ones which have positive or negative value in the eyes of the group. Even when research does not impinge directly on it, a group may be derogated or its reputation injured. Likewise, an institution such as a church, a university, or a prison, must be guarded against derogation, for many people may be affiliated with, or employed by, the institution, and pejorative information about it would injure their reputations and self-esteem. In evaluating social risk, an investigator should ask himself how the findings will appear to persons belonging to any identifiable group—or affiliated with an institution—studied and reported upon."

Taken literally, these guidelines would rule out, or much inhibit, a study likely to issue in critical conclusions regarding, for example, the Knights of Columbus. Under these guidelines, you could not study the Mafia or the aerospace industry or Attica prison unless you could be sure that your conclusions would not "derogate" or damage the "reputations and self-esteem" of these "subgroups." In practice, however, we suspect that the situation would be rather different. You can study the Ku Klux Klan, if you want to—but look out, Arthur Jensen.

Turning On (Off) the Heat

Even as Qaddafi was nationalizing all foreign oil companies in Libya, Saudi Arabia's King Faisal, hitherto the U.S.'s staunchest and most powerful friend in the Arab world, made it known that he will use his country's immense oil reserves as a negotiating weapon against the U.S. until he sees a change in the "one-sided" American policy of "favoritism to Zionism and support against the Arabs." President Nixon's response to all this was twofold: 1) He issued, at a news conference, some of his most even-handed remarks to date about the Mideast impasse, blaming "both sides"; 2) he warned that the U.S. will make every effort to reduce its dependency on Arab oil.

It was of course the second of these responses that the *New York Times* endorsed at considerable editorial length. In the back, somewhere, of Arab as well as Western minds—and perhaps serving as an unexpressed counter in the bargaining—there remains a third course of action which few people mention, let alone demand: seizing, say, Libya. Not to *appropriate* the oil, but to guarantee its availability at the world market price. Charles Benson's 1970 article proposing that we do just that horrified many *NR* readers; but the doctrines of national self-determination and territorial integrity—according to which a Qaddafi is entirely justified in his actions—may seem worse than vapid on the wintry day when Americans—or Europeans or Japanese—are shuddering in heatless homes, stranded there with gasless cars. Such doctrines will then seem a flimsy pretext for an upstart despot's repudiation of his country's obligations. Indeed, a new variant of an old liberal question may then come into play: Why should a tiny fraction of the world's population be allowed to sit capriciously on such a desperately needed resource? And then the heat *will* be on.

J. R. R. Tolkien, R I P

John Ronald Reuel Tolkien, who died a fortnight ago in his 81st year, was as much a writer of his time as the archetypal modern from whom he seemed to differ so radically and so sharply. All the arts of our century have been revivals of forms long abandoned. Joyce was our Homer, Pound our Dante. Tolkien dared to resuscitate the romance, a form requiring the genius of a Rabelais or Spenser, a form which was shattered after its brilliant flowering in the hands of Boiardo and Ariosto by the publication of *Don Quixote*. Thereafter the demon realism ruled the roost.

Tolkien dared the improbable and perhaps the impossible in writing *The Lord of the Rings*, a three-volume romance of such magnificent design and charm of narration that it has been for almost twenty years now a magic book among the young. For many, it was their sole example of literature, and they took to it with the cultist enthusiasm of young Elizabethans reading *Orlando Furioso*. Most of its readers had little awareness that they were reading a Christian parable. The book is apparently beyond scholarship and criticism; nothing written about it seems to be about the same book that people begin again as soon as they reach the end, or read for days without sleep, or can allude to like a Puritan quoting Scripture. Who can say why the Orcs have Hittite names? Who has noticed that Gandalf is Sherlock Holmes in a wizard's hat?

Some years ago, I was talking with Allen Barnett, of Shelbyville, Kentucky. It turned out that he was a classmate of Tolkien's at Oxford and may have been his only friend to have survived the First World War. Tolkien, he said, loved to hear about the Kentuckians, their contempt for shoes, their fields of tobacco, their countrified

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ancient English names like Proudfoot and Baggins. It was the rule of Tolkien's art that he invented nothing cynical. He transmuted into the loveliest vision the world as he knew it. If the Shire is flavored with touches of Kentucky, we need but know that Tolkien was born in South Africa to see what he was remembering in the lacy golden trees of Lothlórien. Not since Spenser has an English writer had so gorgeous an imagination.

Like his own Hobbits, Tolkien was an all but invisible man. He was orphaned at 18, became a philologist after serving in the Lancashire Fusiliers, and spent his life as a university professor. He also spent it as an artist of incomparable power. *The Hobbit*, published in 1938, was written, like so many splendid books, to read to his children. *The Lord of the Rings* set out that way; one son remembers receiving chapters of the great book when he was an RAF pilot. Publishers were not interested in the work, and it lay around until 1955.

There is a Tolkien work of some proportion yet to be published. Gossip has it that the *Silmarillion* was finished years ago and rejected by publishers because it was too like the begats in the Bible. Gossip further has it that the author humbly set about making it readable.

Of *The Lord of the Rings* we can say easily that it is the best book of the century, though the greatest is *Ulysses*, and Lewis' *The Human Age* is the book we deserve most to be remembered for. Its vision of harmony and simplicity, of honor and heroism, is an articulate symbol of our inarticulate yearning. The dread Orcs, who look like the Chinese army, the Nazis, and our highways and streets, are what humanity looks like when deference has been replaced by power and civilization by efficiency.

Tolkien himself said the one fault of *The Lord of the Rings* is that it ought to have been longer. Would that it were.

G. DAVENPORT

Audley, *Sunday Telegraph*, London Ben Roth Agency

"I solemnly swear that I will perform my new duties to the best of my ability and that I had nothing to do with Watergate."

Notes & Asides

■ Dear Mr. Buckley:

This is a copy of a letter that we have sent to Senator Weicker. We are sorry but we had to let him know how we felt.

To Beautiful Senator Lowell Weicker.

Dear Senator Weicker:

We have just read Buckley's column [p. 1074] in which he is so cute (our words) in his criticism of you. We wish to let you know that we think that you are the most outstanding member of the Committee with regard to clarifying points which are vague to we, the people, and which some panel members prefer to leave alone, for whatever reason.

For a man like Buckley, who is a past master in the art of doubletalk, who is a pompous, didactic, egocentric, obtuse, verbose, pedantic, snobbish, pseudo-intellectual, . . . nincompoop, to accuse you of being the things that he is himself guilty of (e.g., gibberish) is unfair, unjust, and utterly infantile.

Apparently, Buckley's aesthetic sensibilities were offended, but, what is more important to us is, THAT HE HAS OFFENDED OUR MORAL SENSIBILITIES. How dare he mock an attempt to honor our integrity and belief in our country?

All that we can say is, "HURRAH FOR YOU" and keep up the kind of questioning and "awe-full" comments that you believe in. There is no doubt that we believe in the same ideals. Thank you, thank you, thank you.

Respectfully and sincerely yours,
(Mrs.) June Hesley
(Mrs.) Eva Lustig
Syracuse, New York

P.S.

a. We consider ourselves to be nonpartisan.
b. We are sending a copy of this letter to Sir Buckley.

■ Dear Mr. Buckley:

In your column published August 3, 1973 in the *Du-*

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luth (Minnesota) *News-Tribune* you stated: "I know now the expression on the beadle's face when Oliver Twist approached him and asked for more." Oliver "asked for more" from the master of the workhouse, not the beadle. Mr. Bumble, the beadle, happened to be at the workhouse on that memorable occasion, but the gruel was served, not by him, but by the master.

Yours very truly,
Lewis J. Charles
Judge
15th Judicial Circuit
Ashland, Wisconsin

■ Dear Bill:

In re-reading *Up from Liberalism* I was struck by the old Paul Hughes *v.* McCarthy case which I had long forgotten. The similarities between this liar and the Watergate setup seem as coincidental as a poker hand of five Aces of Spades. McCarthy was the bete noire of *G'liberalism*, whom they hounded to his grave and beyond. Nixon, good, bad or indifferent, is in the same category and the cry is "Delendus est Nixon."

Mull over the ancient Paul Hughes case and the similarities of Watergate. There may be an interesting story here.

Yours from 1955,
James McCormack

Paul Hughes was paid by prominent Democrats and by the *Washington Post* to feed information from inside McCarthy's staff, on which he said he worked. It turned out that he was a confidence man. —WFB

■ Personnel Notes

Heartiest congratulations to Richmond Crinkley (see masthead) who has been appointed special assistant to Roger L. Stevens, chairman of the board of Kennedy Center. He has been hired to "bring creative new theater to the Center." Mr. Crinkley has been writing for *NR* since 1965 when he was a student at Oxford. . . . Our best wishes to Hugh Kenner for a speedy recovery from his ruptured appendix. Mr. Kenner took sick a day or two after arriving in Baltimore to join the faculty of Johns Hopkins University, where he can be reached in care of the Department of English. . . . *NR* Associate M. J. (Joe) Sobran is now in charge of Arts & Manners, Chris Simonds having left us to teach. All inquiries about A&M should be directed to him; all inquiries, that is, save those asking whether a particular production, or act, is a good or a bad art, or manner.

School Time in NYC

Fewer pupils; fewer books.
Fewer teachers' dirty looks.
In the classrooms and the yards,
Lots and lots and lots of guards.

W. H. von Dreele

■ Dear Mr. Buckley:

Enclosed please find copy of a letter which I read to Mr. Istel over the telephone yesterday. He asked me to send it to you with the following comment: "This is an example of clear and succinct use of the English language. Shakespeare would be jealous."

Sincerely,
Hélène de W. Tuttle, Secretary to
Jacques André Istel
New York

Re: Langenbach *v.* Parachutes, Inc. et al.
New Jersey Division On Civil Rights
Dear Mr. Istel:

Your letter of June 11, 1973 to the former General Counsel of the Federal Aviation Administration has been transferred to this office because of the adversary nature of the captioned administrative proceeding.

In the absence of any adverse action, we do not believe it advisable for the FAA to attempt intervention.

Sincerely,
George H. Foster
Acting Associate General Counsel
Litigation Division

■ MEMO TO: WFB Jr.
FROM: Stephen R. Maloney
SUBJECT: The Sending of Memoranda

As you know, the Senate Watergate Committee has developed the bad habit of reading other people's memoranda. Moreover, Secretary Robert Finch has recently stated that memorandum-writing "led to Watergate." Our staff, of course, writes more memoranda than the combined executive force of General Motors. Attacks on memoranda go back at least as far as Robert Benchley (in *From Nine to Five*) who said: "When the mail is disposed of we have what is known as Memorandum Hour. During this period everyone sends memoranda to everyone else. If you happen to have nothing in particular about which to dictate a memorandum, you dictate a memorandum to someone, saying that you have nothing to suggest or report. This gives a stimulating exchange of ideas, and also helps to use up the blue memorandum blanks which have been printed at some expense for just that purpose."

All things considered, I think you ought to write a memorandum about the excessive number of memoranda being produced at *NR*.

MEMO TO: Steve Maloney
FROM: WFB

We cut down on the number of memoranda by the simple expedient of requiring that they all be publishable.

Cordially,
—WFB

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From (Alibi) Ike to Dick(Butkus)

FOOTBALL SEASON is at hand and perhaps that is why Mr. Nixon's spirits are visibly improved. He has been dusting off the sports metaphors—describing Congress as a "last-quarter team," and it is useful to describe Mr. Nixon's two recent press conferences, and the startling contrast between them, in terms of sports. At San Clemente he resembled Ring Lardner's whiny Alibi Ike, crying about how much the press picks on him. In the White House East Room he was more like Dick Butkus, the Chicago Bear's linebacker. He had a fair measure of animal energy. He was knocking people down, raising dust, and doing a pretty good imitation of the man who won the 1968 and 1972 elections.

Mr. Nixon treated the press to a fair sample of silly rhetoric, but it was familiar, orthodox Washington silliness, all about how "disappointing" Congress is. It is not clear how a reasonable man can be disappointed with the performance of Congress because disappointment implies high hopes let down. But never mind. There was something like euphoria in Washington when the press conference ended: For a change, something familiar was happening.

Never mind that wholesale prices are running wild and that Secretary of the Treasury George Shultz is admitting that the U.S. got "burned" in last year's grain sale to the Soviet Union. Never mind that Mr. Nixon's most cherished chimera—detente with the Soviet Union—is looking a bit disreputable, with the Soviet regime dividing its ample energies between dramatically improving its strategic arsenal and persecuting the finest men in its captive population. Never mind any of this. A nine-day air-pollution alert has ended in Washington. Mr. Nixon is up and about the house and taking solid foods. He is *doing* things—like vetoing the minimum-wage bill and picking a fight with Congress over excessive spending. He is acting like a politician in fine fettle, and that is not easy to do at a press conference held on the day that four former aides, including John Ehrlichman, are being indicted in Los Angeles in connection with burglarizing the office of Daniel Ellsberg's psychiatrist.

In the normal confusion of the questioning, Mr. Nixon did not chance to call upon any of the several reporters who were prepared to ask him if he was planning to go to Los Angeles to testify as a character witness for Mr. Ehrlichman. Mr. Nixon did not deliberately avoid these questioners. In fact, his standard practice from his campaigning back in the Fifties was to arrive in a town and ask to be interviewed on local radio or television. He would ask for the most abrasive and hostile reporters to do the interviewing. More often than not the reporters would oblige by being rude, and he would gain a lot of sympathy.

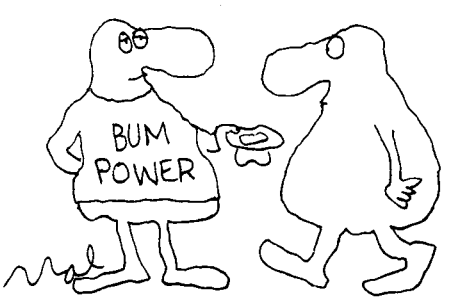
TODAY nothing forces Mr. Nixon to take questions at his press conferences from Dan Rather of CBS. But he always does. In the most recent press conference, Rather was particularly obliging. He asked a tough question—not rude, but almost rude—but not a smart question. Rather asked why Mr. Nixon has promised to obey only a "definitive" court ruling on whether he can keep the tapes of White House conversations germane to the Watergate investigation. Rather asked if this didn't mean that Mr. Nixon was placing himself at least a little bit above the law; after all, Rather said, the average American cannot set limits on the kinds of court decisions he will obey. Mr. Nixon disposed of the question without trouble. Dan Rather could have been troublesome if he had asked about "definitiveness" this way: Suppose, Mr. President, your appeal fails, and Judge Sirica's ruling is affirmed by the Supreme Court. Is Judge Sirica's ruling, affirmed, "definitive"?

Events may pose that question in due time—before the Nebraska-Oklahoma game, perhaps—and until then we must believe at least that Mr. Nixon does not believe (as some White House operatives suggest he believes) "definitive" is a synonym for "unanimous." If anything is inconceivable in Mr. Nixon's Washington, it is inconceivable that a President would issue an invitation to lawlessness by declaring that court decisions are less than binding when they are less than unanimous.

It is unlikely that the resumption of the Senate hearings will bring public interest in Watergate back to what it was when the star witnesses were on camera. Ironically, Mr. Nixon is protected here by his manifold problems. People are so alarmed by the deterioration of the economy that they cannot take Watergate seriously. So Watergate will simmer unless and until the Supreme Court orders Mr. Nixon to surrender the tapes—when things will come back to a rolling boil, fast.

Until then Mr. Nixon is relatively free to turn his attention to the things that interest him—other nations. In fact, he did just that in his press conference. Mr. Nixon's words about oil will reverberate around the world for months.

We are three-quarters of the way through the heralded "year of Europe," and all that is clear is that not even Mr. Nixon's planned trip to Europe will obscure the fact that we are entering the "years of the Middle East." Mr. Nixon told the press that "Arab oil pressure" would not influence U.S. policy toward Israel, and in the same breath he demonstrated that "Arab oil pressure" has already done that. That is the significance of Mr. Nixon's remark that the U.S. is neither pro-Israel nor pro-Arab. For reasons of domestic politics, if for no others (and there are other and sounder reasons), the U.S. is and will remain solidly pro-Israel. The interesting thing is not that the denial of this is false, but that Mr. Nixon deems a false denial useful at this time. □



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The Detente Trap

ANDREI SAKHAROV is a Soviet parallel to Edward Teller. He is one of the world's foremost nuclear physicists. While still in his twenties he was assigned to the Soviet nuclear program and became known, like Teller in this country, as "father of the H-bomb." From 1958 on he urged Khrushchev to accept the Eisenhower proposal to end nuclear testing in water, air, and space. (This premature initiative first led the apparatus to write him down as a "dissident.") In 1968 a memorandum Sakharov wrote on detente and "convergence" got global attention. The thesis of this memorandum was, however, misunderstood. In the interview he gave last month to Edouard Dillon of Agence France Presse, Sakharov went out of his way to clarify his then intended point: Detente is desirable only on "the hope of the convergence of the two systems: that is, *l'évolution du camp socialiste vers une plus grande démocratie, et celle du camp occidental vers le social.*" The meaning of this French clause is in essence: the socialist countries becoming more free, and the capitalist countries more humane.

In this interview, Sakharov continued (I am translating directly from the French text of the original publication): "I still consider convergence the ideal solution. But if we get down to facts, to what has actually gone on these past eighteen months, we find the reality to be extremely complicated. The developing rapprochement is uncovering very grave hidden dangers. The authorities of our country might, and perhaps already can, exploit the detente not for the purpose of democratization but, on the contrary, for the sake of ever greater rigidity. Apparently the objective is the strengthening of the economic and administrative structure." Sakharov went on to cite various instances—including several not heretofore reported abroad, as well as others already notorious—of KGB repression in the recent past, many of them ending with incarceration, incommunicado, in a KGB-operated "*hôpital pénitentiaire*"—i.e., "prison hospital" for those declared insane by the authorities.

One More Capitulation?

"To get back to the question of whether [this wave of repression] is connected with the change of the international situation [toward detente], I cannot avoid the impression that the connection exists, and I believe this ought to show Westerners that in accepting detente they must realize that detente cannot be unconditioned. If it is, that would be one more capitulation to our antidemocratic regime, an encouragement to its crimes. It could have grave and tragic consequences for the entire global situation. It could bring about the infection of the entire earth with the disease that is ravaging us.

"The West should also realize that if our country does not develop toward greater freedom, any agreement will be precarious. It will last only as long as immediate economic and political necessity compels the rulers of this country to respect it.

"The key issue to pose from the beginning ought to be an end to the insulation of this country. This means freedom to leave the country, freedom to return, freedom to renounce or to keep Soviet nationality. . . . I believe that a proposal, coming from the Western partners to the detente, to institute freedom for Soviet citizens to emigrate or travel abroad . . . could not be considered a threat to the sovereignty of the USSR. It is, rather, an equitable and indispensable condition for detente.

"It is impossible to have mutual confidence if one of the parties resembles an immense concentration camp. . . . The problem of the freedom to emigrate and to return is only a part of a vaster problem—that of ending our insulation from the outer world. . . .

"You don't hear much, abroad, about such a matter as jamming foreign broadcasts. However, every evening, when we turn the knob on our radio set, we get a shock—the shock of high-decibel jamming. Millions of rubles, precious technical knowledge, immense resources are thus squandered so that modern science can prevent the citizens of this country from getting news from abroad."

To go ahead with trade and technical aid in an unconditioned detente, Sakharov had summed up a few days earlier, would have the result that "the world would become helpless before this uncontrollable bureaucratic machine. . . . Unqualified Western willingness to improve relations would mean cultivating a country where anything that happens may be shielded from outside eyes—a masked country that hides its real face. . . . No one should be expected to live next to such a neighbor, especially when the neighbor is armed to the teeth."

We Shall Not Be Moved

Secretary of State-designate Kissinger was asked by the Senate Foreign Relations Committee about these carefully reasoned statements that Sakharov has with such incredible selflessness and heroism addressed to us. Kissinger replied that he was "deeply moved" by them; but not moved enough, apparently, to be in the slightest degree influenced.

"We have to ask ourselves the question," Kissinger testified, "whether it should be the principal goal of American foreign policy to transform the domestic structure of societies with which we deal or whether the principal exercise of our foreign policies should be directed toward affecting the foreign policy of those societies. . . . We must proceed on the course on which we are." But Sakharov's analysis has nothing to do with such empty generalities. He is contending that in this specific case of the presently developing relation between the existing Soviet Union and the Western nations, it is impossible to affect Soviet foreign policy in a manner of benefit to the Western nations *unless* there is a change in the domestic structure; that, in fact, Soviet policy without domestic changes *must* be a continuing and increasing danger to the Western nations. Sakharov is serious. He deserves a reply more serious than a routine debater's evasion. □

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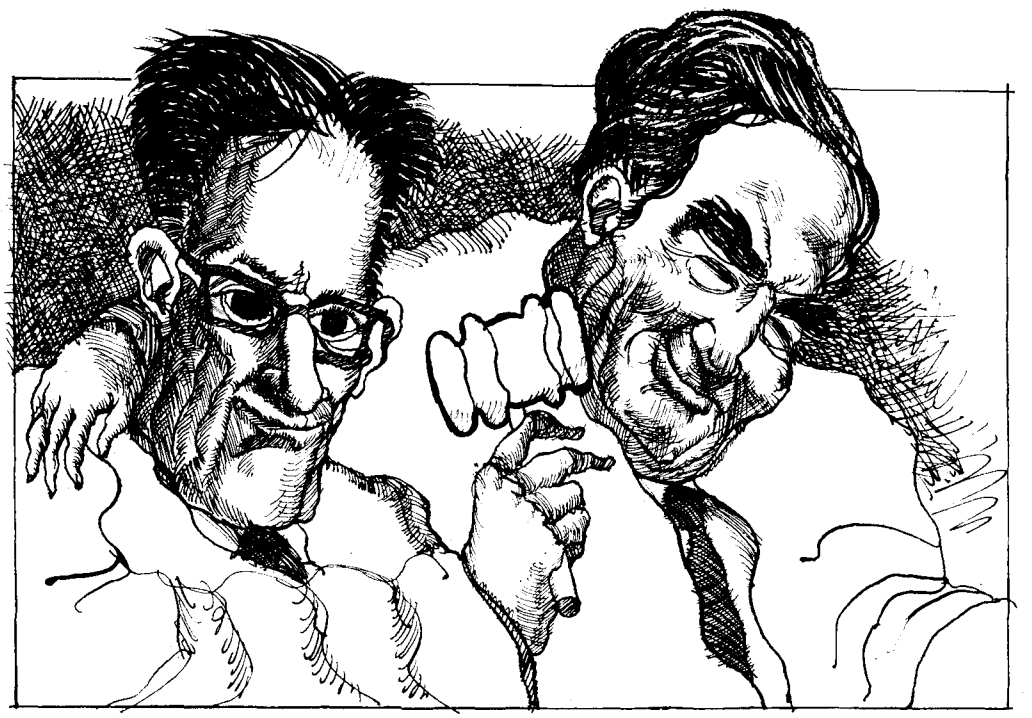
THE GOOD NEWS

What the Burger Court is giving us, says the author, is balance and restraint, a move away from the judicial adventuring of the Warren Years. Which makes it all the harder to understand its abortion decisions



This Much, at Least: The Court

JAMES J. KILPATRICK

SOME MONTHS AGO, riding the stuffed-chicken circuit, I flew from St. Louis to New Orleans, and thence to Nashville. The Mississippi and its tributaries were then at record levels. I had seen floods at ground level before, and I had seen a few floods from the air, but nothing in my experience had prepared me for the devastation down below. Hundreds upon hundreds of square miles, once rich in cotton and corn and cattle, lay smothered in rose-brown sludge. The tips of fence poles were spaced out like typewriter dots. The swollen rivers were poorly defined by the tops of trees on either bank. All that once had been so neat and productive was now obliterated, and one wondered how long it would be—many months, more probably years—before the damage could be repaired.

One flies over the Nixon Administration today with the same sense of viewing disaster. The dams of concealment cracked in March 1972 with the first breaks in the matter of ITT. In June came Watergate. Now the old landscape is blotted out, and there is little to suggest that the flood has crested yet. The confident mandate of last November lies buried in a sludge of evasions, half-truths, and whole lies, and every day sees the surfacing of another swamp-gas bubble, belching the sweet stink of corruption.

But metaphorically speaking, there is one great difference. The destruction of Nixon's hopes, plans, and reputation is not altogether complete. This at least is untouched: He has achieved through his appointments to the Supreme Court just about everything that conservatives realistically could have asked in this vital area of the law. The Court stands serenely above the ruins, a bulwark of stability and restraint. In the term that ended June 25, we saw—with few exceptions—a record of constructive jurisprudence, marked not by brilliance but by solid common sense.

What was it that we had asked? Balance, mainly. Re-

Mr. Kilpatrick is a syndicated columnist and a student of the United States Supreme Court.

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straint. A wholesome respect for tradition. A surcease from judicial innovation. The 16 years of Earl Warren had been years of breathtaking expansion in the law. Under the Chief's zealous leadership, the Court plunged like a bush-hog into political thickets of reapportionment. Old barriers of racial segregation were knocked down and buried. The Court cleared vast new areas of criminal law. Time after time, in the view of many critics, the Court leaped the boundaries of construction and interpretation and effectively amended the Constitution by its own magisterial decree.

I know of no conservative who ever asked of the new Nixon Court that it restore the status quo ante. The Court under Warren accomplished, in its roughshod way, a vast deal that was good. Viewed by the familiar rules of constitutional construction, Warren's 1954 opinion in *Brown* v. *Board of Education* was clearly a monstrosity; but the opinion served to smash a rotten barrier that cried out for removal. The Court's action in *Baker* v. *Carr*, the first reapportionment case, was taken over the reasoned and cogent dissents of Frankfurter and Harlan. The dissenters plainly had the better view of the law and of the Court's scheme of government; but the decision righted a flagrant wrong. So, too, with many of the Warren opinions going to the protection of the rights of an accused in criminal prosecution; the Court tossed precedents to the four winds, but it halted some palpable evils.

ALL THIS, I believe, is generally agreed. When Earl Warren retired, and Warren Earl Burger came on to replace him, the conservative aspiration was not for wholesale reversal. What we asked was a modest rolling back of certain extreme formulations of the law. We wanted some nice orderly fences erected around the raw, red fields of new construction; we hoped for a little pruning in the luxuriant gardens of the Constitution, a better balance between the rights of the accused and the rights of an outraged society. That is precisely what we are getting.

The past term saw 156 formal opinions from the Court. Probably half of these had no great significance in terms of the large constitutional issues of our time. As usual, much of the Court's work was devoted to questions of taxation, admiralty, state boundary disputes, and the like. Thirty-eight opinions saw no dissent; in another 42 cases, only one or two members dissented.* Yet when it came to the crunch, clear patterns developed among the Court's definable blocs. Overwhelmingly, on the tough cases, the conservative bloc prevailed.

This appears most strikingly in an analysis of 25 cases involving criminal law. Seven of these decisions were generally favorable to the accused, but in four of the seven the issue was so clear that the Court was substantially of one voice. Rehnquist, for example, wrote a 9 to 0 decision in a Tennessee case, making retroactive a certain rule of double jeopardy. Burger wrote a 9 to 0 decision dismissing an indictment against a Wisconsin man in a question of speedy trial. In only three of the 25 criminal cases could the echoes of the old Warren years be heard: The liberals prevailed on two points of habeas corpus and one question of search and seizure.

* By dissenting in precisely half the cases—78 of 156—Douglas set what may have been a record, surpassing even Holmes.

Of greater significance, it seems to me, are the remaining cases of criminal law. These were the decisions affirming convictions or otherwise pronouncing opinions generally not favorable to the accused. To oversimplify: These 18 cases represent the kind of cases that in Warren's time were almost inevitably decided in favor of the rights of the accused as opposed to the rights of society. In every one of these 18 "rollback" cases of criminal law, the four Nixon appointees held together. On most of them, the Nixon Four picked up both White and Stewart to form a comfortable 6 to 3 majority. The result was a very considerable fencing of the wide open fields cleared by the bushhogs of Chief Justice Warren.

A few examples of the rollback process will illustrate the heartening trend.

U.S. v. *Russell*, decided by a 5 to 4 vote on April 24, involved the conviction of a man from Whidbey Island, Wash. for the manufacture of a drug known as "speed." His sole defense was that he had been trapped by a federal narcotics agent, Joe Shapiro, who had supplied him with one of the chemical ingredients required in the process.

The Warren Court probably would have upheld the defense of entrapment and reversed the conviction. This time, Douglas, Brennan, Marshall, and Stewart could only dissent. Douglas charged angrily that Shapiro had played a "debased role." Stewart cracked, with Marshall agreeing, that "it is the government's duty to prevent crime, not to promote it." But the majority, speaking through Rehnquist, coldly observed that the defendant Russell was making "speed" before he met Shapiro, and he continued making "speed" after he met Shapiro. The agent's conduct did not "shock the conscience." The defendant was not an unwary innocent; he was an "unwary criminal" and deserved what he got. The majority flatly refused to broaden the scope of earlier decisions disapproving entrapment techniques.

IN *U.S.* v. *Ash*, decided by a 6 to 3 vote on June 21, the issue dealt with the Sixth Amendment right to counsel. In a series of landmark opinions known as *Wade*, *Gilbert*, and *Stovall*, the Warren Court in 1967 greatly expanded old interpretations. Here the case involved a man convicted of bank robbery in the District of Columbia and sentenced to twelve years in prison. His complaint was that he had not had the assistance of counsel in a post-indictment display of photographs, held so that a prospective witness might identify him. In the old days, I venture to say, the conviction would have been held void. This time, speaking through Blackmun, the Court "was not persuaded that the risks inherent in the use of photographic displays are so pernicious that an extraordinary system of safeguards is required." Brennan, dissenting with Douglas and Marshall, protested bitterly that "today's decision is wholly unsupportable in terms of such considerations as logic, consistency, and indeed fairness." The decision, Brennan added, is "simply another step toward the complete evisceration of the fundamental constitutional principles established by this Court only six years ago."

Two cases, both decided by 6 to 3 votes on January 22, involved the admissibility of exemplars obtained, over objection, from accused persons. In *U.S.* v. *Dionisio*, a gambling case, it was a voice exemplar; in *U.S.* v. *Mara*, it was an exemplar of handwriting. Stewart, speaking for the

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majority, held that "the compelled display of identifiable physical characteristics infringes no interest protected by the privilege against compulsory self-incrimination." Handwriting, like speech, is repeatedly shown to the public, "and there is no more expectation of privacy in the physical characteristics of a person's script than there is in the tone of his voice."

A related case this past term involved one Daniel Murphy, who was brought into the Portland, Ore. police station on suspicion of strangling his wife. Police noticed what appeared to be blood under a fingernail. They asked permission to take scrapings, but when Murphy refused, they took scrapings anyway. Microscopic examination disclosed fragments of skin, blood cells, and the fabric of a nightgown. He contended on appeal from his subsequent conviction that the process violated his Fourth Amendment rights, but Stewart, speaking for a 7 to 2 majority, found the search "constitutionally permissible."

The Fourth Amendment also figured in *Schneckloth* v. *Bustamonte*, decided by a 6 to 3 vote on May 29. In the Warren era, when a police officer would testify that a suspect had "permitted" a "voluntary" search, the Court would regard the officer as a liar. The liberal consensus was that no one in his right mind would consent to being searched without a warrant, and if he did consent it was only because his constitutional rights had not been made clear.

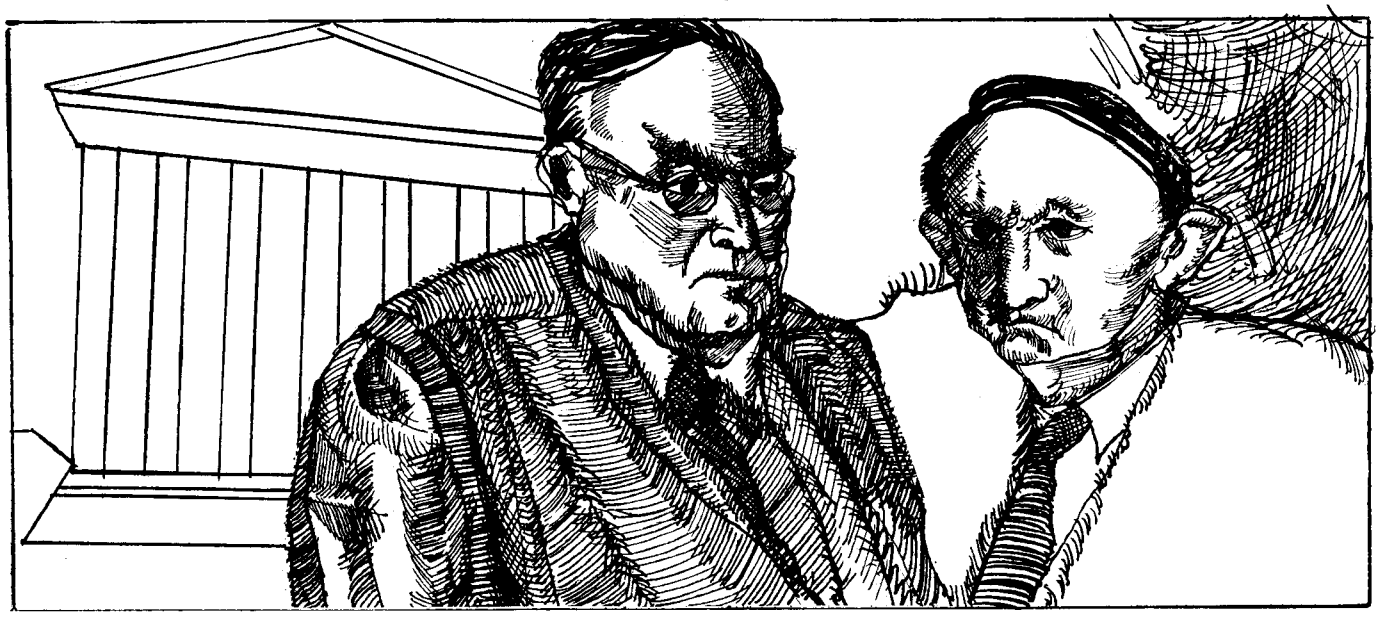
None of this takes us back to the bad old days when police could beat an admissible confession out of a helpless defendant

In the Bustamonte case, the new majority turned its back on that line of reasoning. Here a police officer on routine patrol in Sunnyvale, Calif. stopped a car at 2:40 A.M. for defective lights. When the occupants could not identify themselves, the officer asked the driver if he could search the car. "Sure, go ahead," was the response. The officer found three stolen checks in the trunk, and Bustamonte went to jail. Over an impassioned dissent from Marshall, the majority held that proof of knowledge of the right to refuse consent is not a necessary prerequisite to demonstrating a "voluntary" consent.

The Bustamonte decision, in certain aspects, was plainly a retreat from *Kaufman* v. *U.S.*, a Fourth Amendment case decided in March 1969, three months before Burger came on the bench. A similar retreat from old landmarks occurred this past term in *Barnes* v. *U.S.*, decided by a 6 to 3 vote on June 18. Led by Powell, the majority marched away from the precedent of *Leary* v. *U.S.*, which had limited the reasonable inferences that a jury may draw from a totality of the evidence.

THE NEW majority not only retreated from Warren precedents; it also refused to make other Warren opinions retroactive. The rule of *O'Callahan*, laid down in June 1969, held that servicemen are entitled to civilian trials, rather than trial by courts-martial, for essentially civilian crimes. The rule of *Pearce*, established at the same time, held that when a defendant is tried twice for the same offense, his first conviction having been reversed on appeal, a longer sentence cannot be imposed at his second trial than the sentence imposed at his first. Though the doctrine of retroactivity has been applied to other such decisions in criminal law—and indeed was applied this term to what is known as the *Waller* double-jeopardy precedent of 1969—the Court drew a line at *O'Callahan* and *Pearce*.

In sum: The 1972-73 term of Court saw no significant expansions of the "rights of the accused" as distinguished from the "rights of society." On the contrary, in at least 18 criminal cases, the conservatives united with White or Stewart, or both, to halt or to roll back some of the sweeping interpretations given to the Fourth, Fifth, and Sixth Amendments before the Nixon Four came on the Court. None of this takes us back to the bad old days when police could beat an admissible confession out of a helpless defendant. None of this undermines a reasonable construction of the Fourth Amendment. None of this leaves an accused without the assistance of counsel at every significant stage of a prosecution. The body of civil liberties created in the Warren years has not been "eviscerated," as Brennan



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contends; but beyond question, at those points where the body of law had become grossly excessive, the fat is being trimmed away.

The same general picture emerges in a study of 24 cases that offered opportunities either to exercise judicial restraint or to leap into judicial innovation. Such cases are not easily isolated; every Court observer would compile a different list. What I was seeking, in reading the 156 cases of the last term, were those situations in which the Warren Court quite likely would have soared off to the wild blue yonder—cases in which Warren could have mustered a majority further to circumscribe the powers of the states or to apply some new high gloss to the Fourteenth Amendment. By my count, 18 of the 24 cases were resolved, thanks to the dominance of the Nixon Four, on the side of judicial restraint.

In July last year, for example, before the October term had even begun, the Court was called upon to rule on a credentials fight within the Democratic Party. In the halcyon days, when Warren could summon such bold fellows as Black, Clark, Goldberg, and Fortas, the Court might well have thrown the Democratic Convention into even greater chaos than such conventions ordinarily exhibit. This time the Court voted 6 to 3 to stay out of the Democrats' business: "No case is cited to us in which any federal court has undertaken to inject itself into the deliberative processes of a national political convention; no holding of this Court up to now gives support for judicial intervention in the circumstances presented here, involving as they do relationships of great delicacy and essentially political in nature."

In at least a dozen cases, by my count, the Court upheld the doctrine that used to be known, in my own magnolia day, as the Doctrine of States Rights. We heard very little of such Tenth Amendment traditionalism in the years of Mr. Warren.

FOR EXAMPLE: The Court upheld the power of California, in the name of liquor licensing, to forbid the sale of booze in topless and bottomless bars. It upheld challenged state taxes in South Carolina and Illinois, finding no state encroachments on the Commerce Clause. It upheld New York's contested system of party registration. It refused to hold that Florida's antipollution program had been preempted by federal law.

In one of the most significant opinions of the term, the *Rodriguez* decision of March 21, the Nixon Four picked up Justice Stewart. He provided the fifth vote necessary to uphold a system of school financing in Texas against a much publicized assault by egalitarian forces. There is no question in my mind that *Rodriguez* would have gone differently in the days before Lewis Powell replaced Hugo Black. Ours is indeed a government not of laws, but of men. The evidence established that a wealthy school district in San Antonio was able to provide $333 per pupil from local taxation; a poor district could provide only $26 per pupil. The discrepancy was widely seen as a palpable violation of the Equal Protection Clause, and because the Texas system is paralleled in virtually every state, governors and legislators across the nation feared a judicial earthquake ranking with *Brown* at about 8 on the Richter scale.

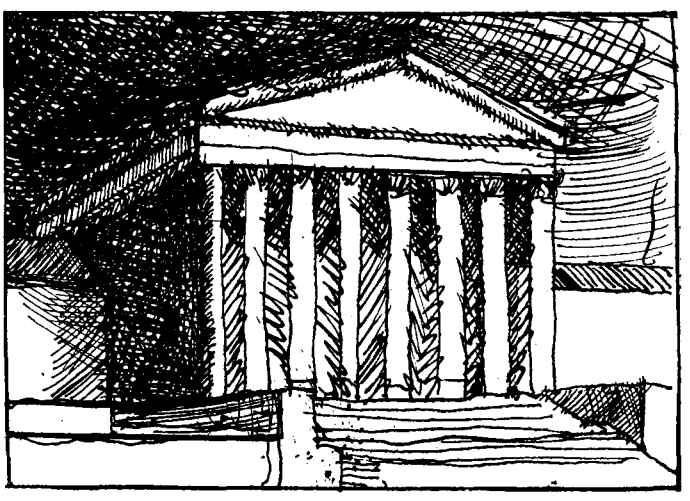
Powell was not in an earthquake mood. Speaking for the five-man majority, the Virginian provided a classic statement of judicial restraint. The Equal Protection Clause, he wrote, "does not require absolute equality or precisely equal advantages." To be sure, where "fundamental rights" are involved, the courts must strictly scrutinize a charge that equal protection has been denied. Is public education a "fundamental right"? Powell could not find that a right to education is implicitly or explicitly guaranteed by the Constitution. "It is not the province of this Court," said Powell, in a line that must have struck Earl Warren dumb, "to create substantive constitutional rights in the name of guaranteeing equal protection of the laws."

Powell took careful aim on the liberal theory that equal education is to be equated with equal dollars. He greatly doubted that such a correlation could be proved. Many scholars, he pointed out, hotly dispute the quality-cost relationship. In any event: "The ultimate wisdom as to these and related problems of education is not likely to be divined for all time even by the scholars who now so earnestly debate the issues. In such circumstances the judiciary is well advised to refrain from interposing on the states inflexible constitutional restraints . . ."

That the majority opinion could have been written by so mild and so sober a jurist as Harry Blackmun is sobering

In a concluding paragraph, after the legal issues had been disposed of, Powell turned to certain practical considerations. If the financing plan were overthrown in Texas—and by extension, in 49 other states—children in property-poor districts might be more harmed than helped. True, such practical considerations play no role in the adjudication of constitutional issues. "But they serve to highlight the wisdom of the traditional limitations on this Court's function," Powell said. "The consideration and initiation of fundamental reforms with respect to state taxation and education are matters reserved for the legislative processes of the various states, and we do no violence to the values of federalism and separation of powers by staying our hand."

This same philosophy of judicial restraint and common sense appeared in a cluster of three cases from Virginia, Connecticut, and Texas, involving reapportionment of their state legislatures. Over the despairing dissents of Douglas, Marshall, and Brennan, who continue to be obsessed with



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the doubtful virtues of precise mathematical equality among districts, the Court firmly turned its back on the tally-stick determinations of the old Warren Court. In Virginia, the Court found nothing constitutionally wrong with legislative districts having a total deviation of 16.9 per cent. In Connecticut, White remarked bluntly that "fair and effective representation does not depend solely on mathematical equality." There are other relevant factors to be taken into account, White said, "and other important interests that the states may legitimately be mindful of." In Texas, while the Court refused to countenance certain multi-member districts that effectively denied political power to blacks and to Spanish-Americans, the Court again dismissed the concept of precise mathematical equality.

ONE OTHER major instance of judicial restraint should be mentioned. In Richmond, Va. a U.S. District Judge, Robert Merhige, had entered a sweeping and unprecedented desegregation order, directing the city to merge its school system with the schools of two surrounding counties. The Fourth Circuit Court reversed Merhige's decree. The black plaintiffs appealed, and on May 21, with Justice Powell not participating, the Court entered a laconic opinion: "The judgment is affirmed by an equally divided Court." It marked the first time since *Brown* that the Court had failed to uphold a desegregation order.

In half a dozen cases this past term, the principle of judicial restraint was honored in the breach. In a case from Burbank, Calif. the Court refused to let a city prohibit midnight traffic by jet planes at its airport. In a case from Connecticut, a majority of the Court played havoc with state powers in the matter of out-of-state university tuition fees. In *Colgrove* v. *Battin*, a wildly divided Court voted 5 to 4 to approve six-man juries in federal civil cases. Marshall, of all people, who ordinarily balks at no judicial innovation, protested in vain that his brothers had mounted "a frontal assault on the very nature of the civil jury as that concept has been understood for some seven hundred years."

The one case, of course, that has to be discussed in any review of "judicial restraint" is *Roe* v. *Wade*, the abortion case, decided on January 22 by a vote of 7 to 2. I cannot explain the decision. I have gone back to the several opinions that were handed down and read them again, and yet once again, and I am baffled.

It is popularly supposed that the Court is now dominated by "strict constructionists," but there was nothing of strict construction here. The evidence is persuasive, as I have tried to indicate earlier, that the Court now inclines toward judicial restraint; but not even a colorable hint of restraint can be found in *Roe* v. *Wade*. The Court under Burger has tended to give new meaning to federalism, which is to say, the Court tends to uphold state laws when plausible grounds can be found to uphold them; but here the abortion laws of Texas and Georgia were wiped out root and branch.

As a matter of ethics and morals, the majority opinion on abortion may have some value. As a matter of constitutional law, it has none. This was judicial legislation, judicial activism, judicial usurpation. That the majority opinion could have been written by so mild and sober a jurist as Harry Blackmun is astounding. It is still more astounding that Lewis Powell, who possesses the best legal mind on the

Court, went along with the crowd. In his brief dissenting opinion, Byron White said it all:

> I find nothing in the language or history of the Constitution to support the Court's judgment. The Court simply fashions and announces a new constitutional right for pregnant mothers and, with scarcely any reason or authority for its action, invests that right with sufficient substance to override most existing state abortion statutes . . . As an exercise of raw judicial power, the Court perhaps has authority to do what it does today; but in my view its judgment is an improvident and extravagant exercise of the power of judicial review which the Constitution extends to this Court.

The Court strengthened old positions, but carved out relatively little new ground, in two areas of First Amendment law. In three crushing opinions by Powell and Burger, the Court apparently destroyed the last feeble prospect of state aid to parochial schools. In a series of opinions by the Chief Justice, the Court laid down new guidelines for state control of pornography.

IN *Committee* v. *Nyquist*, on June 25, Powell split away from the Nixon Four in order to speak for the Court in nullifying New York's 1972 program of state aid to private schools. The program had three parts. One section of the law authorized state grants to cover part of the cost of heat, light, water, janitorial service, and the like, in certain nonpublic schools. A second section was intended to reimburse families with incomes under $5,000 at the rate of $50 for each child in elementary school and $100 for each child in high school. A third section provided tax relief for families with up to $25,000 incomes.

Powell found no merit in any part of the New York plan. He spoke for six members of the Court, over the dissent of Burger, White, and Rehnquist, in concluding that the effect of the state law was to advance an establishment of religion. "Nothing in the statute, for instance, bars a qualifying school from paying out of state funds the salary of employees who maintain the school chapel, or the cost of renovating classrooms in which religion is taught, or the cost of heating and lighting those same facilities." Without such restrictions, "it simply cannot be denied that this section has a primary effect that advances religion in that it subsidizes directly the religious activities of sectarian elementary and secondary schools."

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The tuition-grant and tax-credit features of the New York plan fared no better than the provisions as to maintenance and repair. "Whether the grant is labeled a reimbursement, a reward, or a subsidy, its substantive impact is the same." The majority was not impressed by the argument that the state funds did not flow directly to the schools but went to the parents instead. "The Establishment Clause is violated whether or not the actual dollars given eventually find their way into the sectarian institutions."

In a companion case, decided the same day, Burger spoke for an 8 to 1 Court (White dissenting) to knock out another New York law. This statute appropriated $28 million to reimburse nonpublic schools for the expenses of administering certain tests and maintaining certain health and enrollment records—all required by state law. Again, the statute failed on the Court's "effect" test: "We cannot ignore the substantial risk that these examinations, prepared by teachers under the authority of religious institutions, will be drafted with an eye, unconsciously or otherwise, to inculcate students in the religious precepts of the sponsoring church."

The crunching decisions as to New York were accompanied by one more blow at Pennsylvania. The state's revised parent-reimbursement act fell on the same reasoning laid down in *Committee* v. *Nyquist*. And in yet another case, the Court effectively reaffirmed its 1971 holding that a state may not contract with nonpublic schools to provide educational services in such nonsectarian areas as mathematics, physical science, and foreign languages.

As conservatives gaze upon the ruins of so much of the Nixon Administration, we can look to the Court and be thankful

If I read these cases correctly, the Court has slammed a First Amendment door against *any* further efforts to break the public-school monopoly by tuition grants, tuition vouchers, tax deductions, tax credits, contract services, or anything else. Rehnquist correctly described the situation, in dissent, when he commented that the effect of the New York and Pennsylvania opinions was to undermine three landmark cases that earlier had authorized some state aid to religious institutions. In 1947, the Court had approved a plan to reimburse parents for bus fares to send their children to nonpublic schools. In 1968, the Court authorized the loan of nonsectarian textbooks. In 1970, property-tax exemptions were accepted. Nothing much remains of these precedents now.

The Court was less decisive in its new rules for the prosecution of pornography. The term saw seven decisions in this legal swamp, all of them identical 5 to 4 votes: the Nixon Four plus White on one side, and the Liberal Three plus Stewart on the other. Burger wrote all seven opinions; they are not likely to rank among masterpieces of constitutional law. Here the Court renewed its long-established view that 1) there is such a thing as hard-core pornography, 2) that such material enjoys no First Amendment protection, and 3) that states have power to enact narrowly drawn statutes against it. The majority made two significant changes. Juries henceforth may apply "community" standards, rather than "national" standards, in determining whether a given movie, magazine, or book is obscene; and juries no longer may be required to find that suspect material is "utterly without redeeming social value." The new rule is that material may not be held obscene if it has "serious literary, artistic, political, or scientific value."

Burger offered a number of commonsensical arguments in support of the majority's position. He disposed brusquely of the familiar complaint that obscenity is too elusive a concept ever to be defined at law: If courts can determine when speech "incites to riot," or when an employer's anti-union communications become an "unfair labor practice," courts also can determine when sexually oriented material passes over the permissible line and becomes hard-core pornography. Burger also brushed aside the contention that so long as no causal connection can be proved between obscenity and antisocial conduct, antipornography statutes are an abuse of legislative power. If good books can inspire, said Burger, then bad books equally can degrade—and the states are not powerless to adopt laws intended to prevent the degradation of society.

In *Paris Adult Theater* v. *Slaton*, a case that came up from Atlanta, Burger spoke in blunt terms for the majority: "We categorically disapprove the theory that obscene, pornographic films acquire constitutional immunity from state regulation simply because they are exhibited for consenting adults only. . . . We hold that there are legitimate state interests at stake in stemming the tide of commercialized obscenity, even assuming it is feasible to enforce effective safeguards against exposure to juveniles and to the passerby. Rights and interests other than those of the advocates are involved. These include the interest of the public in the quality of life and the total community environment, the tone of commerce in the great city centers, and, possibly, the public safety itself."

The new guidelines, I venture to say, will not lead the Court out of the swamp. Ambitious prosecutors and small-town juries surely will undertake to suppress material that, taken as a whole, is not "hard-core pornography." In the future, as in the past, these decisions will have to be fought out case by case.

THE TRENDS that were observable in the 1972-73 term of Court were largely a continuance of the trends marked in the term before. The Nixon Four plainly do not constitute a monolithic bloc. Rehnquist dissented in 34 cases, Burger in 19, Powell in 14, and Blackmun in twelve. Only once were they all in dissent together. Yet their combined influence operates as a palpable restraint upon the judicial activism of the Warren years. This is not a great Court. Burger is a good administrator but not much of a thinker. Powell is not yet another Harlan, though he may become one. Rehnquist matured in this term, but he needs seasoning. With the possible exception of Douglas, not a single sitting member would be nominated for a judicial Hall of Fame—and Douglas might be included more for longevity than for quality. Nonetheless, this is a good Court; and if one can overlook a few appallingly bad decisions, the Court is providing a large measure of stability and solid progress in the law. As conservatives gaze upon the ruins of so much of the Nixon Administration, we can look to the Court, and be thankful. □

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LETTER FROM (OLD) LONDON

The Man Who Went to Dinner

COLM BROGAN

When the diaries of a well-known man are due for publication, people who knew him are interested and even anxious. Am I mentioned favorably? Or unfavorably? Perhaps, and most depressingly, I am not mentioned at all.

My mind was untroubled by surmise when the *Observer* announced the serialization of extracts from the diary of Evelyn Waugh. I had unbounded admiration for Waugh as a writer and I knew him fairly well, but not well enough to make it likely that he would waste any words on me. I was wrong. In, I think, the fifth installment Waugh talks of going to a public dinner with Graham Greene and wrote these words which I would like to have carved in marble or cast in bronze or loudly proclaimed with an accompanying flourish from the Queen's trumpeters: "Colm Brogan joined us."

If this noncommittal sentence doesn't seem much to you, obviously you haven't read the extracts. After reading it I walked so tall I felt I was on stilts, and when I breathed I swallowed all the oxygen in the room. Nor was my pride ill-judged. Friends spoke to me with a new respect as if I had joined an extremely small and select company, something like the Order of Merit, only more choosy. After all, the members of the Order of Merit could not be counted on the fingers of both hands, but the number of those who appear in the diary with such a neutral remark as "Colm Brogan joined us" if counted on the fingers would leave enough fingers over to play a guitar.

The first installment deals with Waugh's Oxford years. Many of the people he refers to are only asterisks in the printed version, for the law of libel is strict in Britain, but that fell sergeant Death is strict everywhere and the libel law does not protect those he has arrested. What with asterisks and proper names for highly improper deceased, we get a picture of Oxford after the first World War that is highly peculiar. When characters take their bow they frequently vomit on the floor and then depart without ceremony. One gets the dizzy impression that many of the undergraduates counted sobriety as a short interval to gather strength for the next bout of boozing. If you ask how they ever got any work done, the answer in Waugh's case is simple. He didn't.

The key for the series is set by the first installment, but as Waugh grew older his comments extended far beyond moral character. His judgment on people's manners, pretensions, and abilities are sprayed over the pages like asperges of vitriol. Even his praise is subtly qualified. For example, Father D'Arcy, who received him into the Church, has "a fine, slippery mind." Nobody, least of all a Jesuit, would appreciate his fine mind being called "slippery." Far better the nobly austere statement "Colm Brogan joined us." The shade of Randolph Churchill would certainly be glad of such an implicit accolade. He was a genuine friend of Waugh's but he appears in the diary in a grotesque light, "a drunken vainglorious lout," as Yeats described Captain MacBride of the Easter Week Rebellion. The description of Randolph in Yugoslavia is the raw material for a Waugh comic novel, but it was never written.

But to return to the dinner where "Colm Brogan joined us," it was given in honor of Archbishop Griffin, later Cardinal, who had just come to Westminster. It was a dinner of the Catholic literary gents of Britain, and the guests were mostly distinguished enough, even though Waugh dismissed them as Rotarians. By the way, he described the Archbishop as "common," which he seemed to regard as being much more seriously sinful than being a sodomite.

It was Compton Mackenzie who made the speech of the evening, toasting the deplorably common Archbishop. As Waugh noted, he was trying to look like Cunninghame Graham, having grown the same beard as that late romantic character. It was not a well-judged speech. He called on the Archbishop to give them a lead and tell them what to say, but added that the writers would not necessarily follow his lead or pay attention to what he told them. This put the Archbishop in some difficulty and his own speech was not much more convincing.

Still the evening was pleasant enough. I was sitting between Waugh and Graham Greene. Waugh surprisingly told Greene that he should write a novel about me. Greene replied firmly, "Brogan's no good to me. He'll never end in seedy decay." Little did he know. If he could see me now, hobbling in a walking frame and boasting feebly of my mention in the diary, just like a Graham Greene character, I am sure he would agree that I am ripe for the treatment.

By shaking the Rotarian dust from his feet too early, Waugh missed what I thought was the best part of the evening. I came across Compton Mackenzie affably laying down the law. He was saying that Stalin was the greatest man of the age; an historical giant and, of course, a mighty force for the higher righteousness. As they say in my native Glasgow, I got tore into him. I asked him if he had joined the undertakers. This called for an explanation which I promptly provided. In 1939 after the fall of Poland, Monty Mackenzie gave an eloquent broadcast address attacking the Allies for basely allowing Poland to be conquered and partitioned once again. His final flourish was to ask if the nation of shopkeepers had become a nation of undertakers.

Monty said he remembered the broadcast, but history had since forced him to admit that he had completely misjudged the Russian leader. This was more than flesh and blood, or at any rate I, could stand. I let him have it good and hard. I noticed that people were drawing in their chairs to enjoy the fun. But the thought of a fellow Scot letting the side down so calamitously made me reckless and my language went from the intemperate to the profane and touched dangerously close

(Continues on page 1068)

Mr. Brogan joined NR *shortly after its inception.*

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THE OPEN QUESTION

Full-Scale v. Large-Scale

HARRY V. JAFFA

PROFESSOR ALEXANDER BICKEL has for a number of years been a resolute opponent of American policy in Southeast Asia. In recent years he has argued, with increasing stringency, that the war in Vietnam was being waged, on the part of the United States, without sufficient constitutional authority. Now Professor Bickel is an authority on the Constitution whom I hold in very high regard. There is no one I would rather see fill a vacancy on the Supreme Court. Still, in this one case he has, I believe, departed from his own usual modes of constitutional construction, to provide a legalistic argument against a policy he detests.

In the August 17, 1973 issue of NATIONAL REVIEW Professor Bickel wrote an essay on Louis Henkin's *Foreign Affairs and the Constitution*, in the course of which he quoted Mr. Henkin as saying that the real complaint against the Vietnam war "was not that the President usurped constitutional power but that, acting within his powers, he virtually compelled Congress to go along." Professor Bickel disagreed. "Whether we called what happened a usurpation of power or a perversion of our constitutional arrangements is of little moment; but the latter at least is the case. The complaint is not against the Constitution but against a perversion of it."

Now what is Bickel's case in favor of the view that recent Presidents have either usurped power or perverted the constitutional arrangements in waging war? He argues that the Tonkin Gulf Resolution, which he quotes at some length, could not reasonably be construed to have authorized the vast increase in the level of hostilities that occurred in 1965 and thereafter. The language of the resolution, he says, should have been held to require that "the President was to come back to Congress before he committed a land army of a half-million men to a full-scale war in defense of a particular country unnamed in the resolution." The Constitution, Bickel holds, must be held to require "that Congress authorize war specifically, at a given time and place, and in context of conditions actually prevailing . . . rather than vaguely and indefinitely. For . . . if there is no such requirement, then the constitutional obligation to seek congressional authorization for full-scale war becomes a sham." And again, "the Constitution requires affirmative congressional action to commit the country to full-scale war."

What is wrong with this statement of the case? We observe that Professor Bickel has, three times, referred to the United States' participation in the Vietnam conflict as "full-scale war." Now the Vietnam war was a very large and terrible war. One need not, I trust, protest his appreciation either of its magnitude or its gravity. But by no accurate use of language could it conceivably be characterized as a *full-scale war*. First, it was not a nuclear war. Second, it was not a war between great powers. And third, it never commanded, at any one time, even a large fraction of the resources or manpower that were required by World War II, the last "full-scale war," properly so called. The Vietnam war, like that in Korea, was on the part of the United States a *limited* war. It was a war always limited, both in its ends and in its means. Unlike either the American Civil War or World War II, it never called for the unconditional surrender of the enemy. It merely called for his withdrawal to his own boundaries. Not only were nuclear weapons withheld, but until the very end there was no blockade of the enemy's seaborne supplies. Nor—again, until near the end—was there any serious attempt to bomb the industrial base of the enemy homeland. Indeed, there never was any attempt to threaten the enemy government's control of its own homeland or people. What kind of full-scale war was it, in which the United States never—even at the end—threatened to land a single soldier upon the soil of the enemy?

The Vietnam war was one in which a conflict of great-power interests occurred, but in which the great powers were in tacit agreement not to allow the conflict to lead to direct confrontation. In this extraordinarily complex situation, the constitutional declaration of war, which Professor Bickel demands, would simply have acted to destroy all the ends of American policy. The United States was certainly resolved not to repeat the experience that occurred in 1951, when American forces crossed the 38th parallel and Red Chinese troops then intervened against us. Could we have avoided invading North Vietnam, had we been so ill advised as to declare war against it? It is difficult to imagine any form of declaration by Congress that would have satisfied Professor Bickel's constitutional conscience without pitching us forward into the truly full-scale war that he, as much as anyone, wished to avoid. Every member of Congress, throughout the entire period, knew that a congressional declaration, instead of limiting the war further, could vastly enlarge it.

To rejoin that if we couldn't fight the war on the basis of a congressional declaration, we shouldn't fight it at all, is simply to say that we shouldn't fight limited wars. But the question then is, should we hold that the Constitution requires us to fight only *unlimited* wars? That would greatly restrict the flexibility of American foreign policy, not to mention the risk of final cataclysm. Professor Bickel, in his other writings, has hardly held the Constitution to be that kind of straitjacket. But there has been ample precedent for undeclared, limited war, even before Korea. The United States fought an undeclared war with France in the 1790s. The Supreme Court upheld the lawfulness of President Adams' actions then. It was observed that there were situations in which a declaration of war might jeop-

Professor Jaffa teaches at Claremont Men's College, Claremont, California. Professor Bickel is at the Yale Law School.

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ardize the objectives for which force was being used. And Adams justified this opinion by negotiating an end to hostilities and thereby thwarting the ultra-Federalist warhawks who were thirsting for the blood of the French revolutionaries.

We must never construe the Constitution to enjoin absurdities, and a declaration of war "in the context of conditions actually prevailing" in Vietnam would have constituted a kind of political absurdity. But we must not conclude from this that everything that should have been done to secure congressional consent for the war was done. That too much weight was put upon the Tonkin Gulf Resolution is something upon which Professor Bickel and I can agree. In demanding a straightforward declaration of war as the only proper procedure, Professor Bickel is merely telling us that we should never have been fighting in Vietnam at all. But that is a political, not a constitutional question, and must be argued on an entirely different level.

Mr. Bickel Replies

I think the difference between us, narrow as it is, stems from a misunderstanding on Mr. Jaffa's part, which in turn is doubtless my fault.

First, I used the term "full-scale war" to distinguish what happened in Vietnam from various incidents, even drawn-out incidents, of previous presidential uses of force, most of which were reactive rather than self-starting in nature and were, I believe, constitutional. Vietnam was a full-scale war upon which President Johnson deliberately decided to embark on his own initiative. Of course it was a limited war. I did not say it was total. But it was a full-scale land, air, and sea war, however limited in reach and objective.

Second, I did not argue and there is no basis for arguing that the sole alternative to doing it the Lyndon Johnson way would have been to obtain a declaration of war from Congress. The question is not whether we are capable of fighting limited wars. The question is whether we should fight limited as well as total wars pursuant to specific congressional authorization (by which I mean an act of Congress approved by the President), or whether the Constitution permits us to fight full-scale, if limited, wars on the President's sole and independent authority. I believe the President has no such sole, independent authority. But it does not by any means follow that the Constitution commands the absurdity that we can fight only total and not limited war.

Our disagreement is narrow, as I said. We are at one, I take it, in viewing the Tonkin Gulf Resolution as insufficient. And we are at one, I trust, now that I have made myself as clear as I should have done to begin with, in believing that a more specific congressional authorization of limited war would have fulfilled the constitutional requirement.

Mr. Jaffa Rejoins

I believe that Mr. Bickel's use of the expression "full-scale war" is simply inadmissible. Had he said "large-scale" there would be no difficulty. But it is not logically possible to say "full-scale" when you also mean "limited," or vice versa. A war on the fullest scale is by definition not limited, just as a limited war is also by definition not on the fullest scale.

Mr. Bickel now says that he did not argue and that "there is no basis for arguing that the sole alternative to doing it the Lyndon Johnson way would have been to obtain a declaration of war from Congress." But in his *NR* essay he wrote that "the question is whether there exists or ought to exist a constitutional requirement that Congress authorize war specifically . . ." But the Constitution itself is silent concerning any methods to "authorize war specifically," except by declaring it. He had already denied that the Tonkin Gulf Resolution or any subsequent legislative enactments—including but not limited to the military appropriations for the war—or all of these together, constituted an "authorization" within the meaning of the Constitution. The inference which he left then was that nothing short of a declaration of war would meet the case.

I agree that too much weight was placed upon the Tonkin Gulf Resolution. But I did not draw the inference that the war was therefore unconstitutional. I think that Johnson's error was political rather than constitutional. It enabled many congressmen—and some members of his own Administration—to rat on him, pretending later that they had not supported the expansion of the war when in fact they had done so. But neither do I believe that "Vietnam was a full-scale war upon which President Johnson deliberately decided to embark on his own initiative." I think that the President, unwisely but lawfully, decided upon a military policy of graduated escalation (also called "tit for tat"). This I think the Congress understood and accepted. Both miscalculated the determination of the North Vietnamese and their allies. President and Congress found themselves in a morass which neither had anticipated, but which they entered together. I think that the congressional hearings, particularly those on the deficiency appropriations for the war, would show that the Congress through its committees knew nearly as much as did the Administration concerning the major steps being taken. Both were content to regard that as congressional authorization.

Now if Mr. Bickel does not think all congressional processes, separately and together, constitute an "authorization" of the war within the meaning of the Constitution, it is incumbent upon him to show what form such authorization ought to have taken. Moreover, he must do so, not by some vague gesture of dissatisfaction with what was done, but specifically, in the "context of conditions actually prevailing" at the time when such authorization should have been forthcoming. Since he agrees that a formal declaration of war might have changed a limited war into an unlimited one, he must show why his form of authorization would not.

It is my guess that most congressmen would have found any such proposal to have involved a dilemma. They would—or might—have thought that by voting against such an authorization they could be forcing an end to military operations which they still regarded with hope. On the other hand, by voting for it—since, mind you, it would be a specific authorization of war, even if not a declaration of war—they could set in motion forces that might widen the war. On the whole, I think Mr. Bickel will discover that most of them—at the time—preferred things as they were, and that he will be hard put to prove the superiority of his alternative. But unless he can demonstrate that there was, some time in 1965, a form of authorization of the war that was at once more constitutional, and politically viable, his condemnation of President Johnson cannot stand. □

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The Enemy of Free Trade

Land of the Free

WILLIAM F. RICKENBACKER

LUDWIG VON MISES is the most disciplined of writers; in fifty books and a thousand articles on economics he has permitted himself only a few paragraphs of passion. One of these occurs toward the end of *Human Action*, when he imagines the kind of world we might live in if all peoples and governments understood the principles of economics. It would be a world of great freedom in trade, especially in trade across national boundaries. Each geographical area would supply its "specialties" at prices you couldn't match elsewhere. As a result, nations would come to be dependent on one another for the lowest-cost enjoyment of goods and services. An era of blessed peace would descend upon mankind. In economics the truth is that freedom makes for peace.

The great enemy of peace, then, is he who destroys freedom in international trade. In all the countries of the world, the government claims the right to "regulate" international trade, and regulate it it does. The United States slaps tariffs (taxes) on imports. It also claims the right to limit imports "for national security reasons" (a gross reversal of the truth: *Un*regulated trade is the guarantor of peace). It reserves 65 per cent of the sugar market to domestic producers. It imposes a tariff rate quota on brooms. It requires that vessels engaged in coastal trade be built in the United States and manned by American citizens. It places limits on imports in cotton textiles, wool, and synthetic textiles.

Also, the government in Washington supervises a general discouragement of imports by imposing a complex system of tariff schedules, using a classification system that differs from the standard adopted by more than one hundred countries. The Anti-Dumping Act of 1921 discourages foreign sellers from providing goods at Summer Sale prices. Subtle restrictions on trade arise from provisions in the quarantine law, the food and drug laws, and various laws relating to meat and cereal imports. Laws relating to packing and labeling can be used, and are used, to discourage imports. The President of All the Watergates has the authority to restrict the importation of goods if, in his opinion, such importation will "injure" (i.e., compete with) a domestic industry.

So much for our slothful, runted, effeminate, corrupt, and dissolute American industry, which demands and receives protection from foreign competition, which is vigorous, gigantic, masculine, hardworking, battle-trim.

Funny thing. *Foreign* industry, too, seeks protection from American industry, on the grounds that foreigners are weak, soft, small, slow, underfinanced, illiterate, and altruistic, while American Yankee Tycoons are big brawling bullies.

Australia's health laws restrict the importation of animals, meat products, butter, eggs, many vegetables, walnuts, seed; you have to color your margarine pink in order to sell it legally in Australia; cotton processors must buy certain cotton goods domestically before being permitted to buy cotton on the world market; there are quotas on textile products, motor vehicles, aluminum alloy scrap; 15 per cent of all movies shown in Australia must be British and 2 per cent must be Australian.

Austria has strict regulation (i.e., strangulation) of grain and cereal imports and stands in the way of antibiotics, medications, still wines, meats, dairy products, grape juice.

Belgium makes it difficult for its citizens to buy imported beef, veal, pork, grapes, tomatoes, coal, petroleum, textiles, chemicals.

Canada in effect prohibits the importation of wheat, oats, barley, American booze, canned foods.

Denmark restricts the importation of electrical equipment, motion pictures . . .

France restricts the importation of agricultural goods, movies, cars, textiles, petroleum, electrical doodads . . .

West Germany is against coal briquettes, textiles, ceramics, distilled spirits . . .

Italy wages war against ski lifts, transmission towers, wire mesh, refrigerators, cigarettes . . .

Japan does mighty battle against automobiles, imperialist oranges, non-Oriental citrus juice, capitalist pineapple, un-Japanic tomato juice, anti-Nipponese coal, skoshi-nihon leather products, hostile aircraft engines . . .

Netherlands struggles heroically against artificial colors, preservatives, vitamins, coal, and Dat Ole Debbil Coca-Cola . . .

Norway prohibits the importation of dairy products and electrical equipment . . .

Sweden is death on foreign apples, dairy products, meat, grains, fats, oils, animal feeds, electrical equipment . . .

Switzerland protects her Brilliant Bankers and Mighty Mountaineers from the threat of foreign meat, vegetables, fruits, juice, red wine, movies, automobiles . . .

United Kingdom prohibits everything, as usual.

SUCH restrictions will doubtless be with us forever, just as sinners will be with us forever, right along with Bibles and believers. But don't let anyone tell you the Bible causes unbelief and evil, or freedom causes international controversy.

Quite the contrary. In the economic sphere, which includes the great bulk of international contacts, freedom nourishes peace, and governments lay the groundwork for wars. The *only* program a government can adopt to enhance the prospects of international peace is to withdraw completely from the sphere of international trade.

Parting shot: If a private businessman should deprive a customer of food in order to shore up his monopoly, he would be accused of the most heartless and inhumane behavior. Let a government deprive a whole nation of access to low-cost food and it is praised for enlightened leadership. In times like these our only hold on sanity is laughter. □

William F. Rickenbacker is editor of the Rickenbacker Report, *an investment advisory service, and publisher of the* Financial Book Digest.

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RUSSELL KIRK

NEA-AFT Power Lust

In several states, militant teachers' unions aspire to control totally the apparatus of public instruction. Their method is this: First, bring pressure upon state legislatures to authorize the agency shop or union shop for public-school teachers and other public employees; second, extract great sums of money annually from the teachers in the public schools, through union dues (or "equivalency fees") that will be exacted compulsorily from all teachers under agency-shop contracts; third, use this money for political campaigns against school boards and against members of state legislatures and other public men who oppose a monopoly by the teachers' unions.

If effectual control of the educational apparatus were to pass from the hands of public trustees and administrators to the hands of union leaders, then eventually what is taught in the system of public instruction, and what persons are employed to do the teaching, would be determined by union organizations not subject to ordinary political processes. Under such circumstances, the educational system would cease to be genuinely public, and its policies would be those of a kind of union elite. This surely would result in immense increase of costs, for the beneficiaries of expenditure would control the expenditure. More important, this would produce intellectual servility to a clique of teachers'-union bosses.

For the national teachers' unions, whether the NEA or the AFT and their state and local affiliates, have ceased to be professional associations—if, indeed, they ever truly were. Their concern nowadays is not with the improvement of public instruction, really, but with power and money for their own organizations. Worse still, these teachers' unions have a discernible ideological bent, hostile toward genuine learning and toward genuine academic freedom.

On a national level, the political hunger and anti-intellectual objectives of the present National Education Association are sufficiently suggested in some remarks of Mrs. Catherine Barrett, now president of the NEA, and in the NEA's booklet "Schools for the 70s."

Mrs. Barrett looks forward to the time when the NEA will be the most powerful force in America, with a vast political budget, electing and defeating candidates at every level. When that happy day arrives, "we will need to recognize that the so-called 'basic skills,' which currently represent nearly the total effort in elementary schools, will be taught in one-quarter of the school day," she says. "The remaining time will be devoted to what is truly fundamental and basic."

What does President Barrett mean by these phrases? Why, she advocates a "problem-oriented curriculum," which would instill correct opinions about "war, peace, race, the economy, population, the environment"—in short, the most controversial issues. If parents should disagree with the triumphant NEA—well, it would be somewhat tardy for them to disagree, power already having passed to a union monopoly. If professors and teachers should dissent from Mrs. Barrett and her colleagues, who control the NEA's costly propaganda-apparatus—why, perhaps they can find jobs in some other line of endeavor.

The system of public instruction would be captive to ideology. At best, this would be an ideology of "ritualistic liberalism," alien to the beliefs of most Americans; possibly it would be a thoroughly radical ideology. If one would control a nation totally, first obtain thorough control over the schools.

In a few states, already compulsory unionization grips public instruction. In most states, unionization has moved from the schools upward into many community colleges, and from them into some state colleges and universities. If teachers and professors will not join these unions, still they must submit to having the union nominally bargain for them, fixing the terms of their employment. Teachers' unions aspire to the concept of the union hiring-hall: that is, school boards would be compelled to obtain all their teachers through a teachers'-union screening process.

Early in July 1970, the president of the National Education Association declared publicly, at San Francisco, that within a decade the NEA would be the most powerful group in America, with an annual budget of a billion dollars. "The world has never seen an organization of this magnitude," he said. By the end of the Seventies, he continued, the President of the United States would kowtow to the NEA, which then "will control the qualifications for entrance into the profession and for the privilege of remaining in the profession." One detects here what the NEA thinks of the doctrine of academic freedom.

On a local level, here and there, individual teachers or relatively small teachers' associations have endeavored to resist the push toward total power by NEA and AFT. These friends of educational freedom have fared well enough in state courts, often, but less well in state legislatures. This summer the powerful teachers'-union lobby, amply supplied with money to contribute to legislators' "campaign funds," jammed through Michigan's legislature an act authorizing the agency shop for teachers and other public employees. This undid a decision of Michigan's Supreme Court (in which even Justice G. Mennen Williams had concurred) that had found the agency shop in violation of Michigan statutes. Governor William Milliken was too much afraid of the teachers' union lobby to veto the act.

On a national scale, nevertheless, teachers who oppose the power lust of the NEA and the AFT have organized their resistance. On August 16, in Denver, there was held the first national convention of the new National Association of Professional Educators, and your servant addressed NAPE's General Assembly. Those interested in NAPE's stand can write to the National Association of Professional Educators, 223 Thousand Oaks Boulevard (Suite 425), Thousand Oaks, California. They need all the members they can attract; their object is not to obtain power, but to restrain power. □

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Arts & Manners

The GIMLET EYE

D. KEITH MANO

An Evening with the Enemies

I'm in the men's room at Jimmy's. Hiding. No let-up here: They've pasted an empty frame on the mirror. WANTED BY THE WHITE HOUSE. I insert my head; size eight, a good fit. The genial attendant offers service. No thanks: This is one place where I'm pretty competent. Yet I'd give him a tip to let me stay here. Maybe break me in as an apprentice. No. George Plimpton's probably worked that angle already, *Toilet Paper Lion*. But it's not nice outside. Outside, it's a massacre. Androcles walking into the arena. To find a tiger there instead. Dick's timing is off again.

WOULD YOU believe it? A month ago the men and women on John DEAN'S LIST and their publicity people planned "An Evening With The Enemies" for 9 P.M., Wednesday, August 15, RSVP. And a week ago Nixon's people planned his Watergate speech for 9 P.M., Wednesday, August 15, no RSVP. With that sort of top-level coordination I'm not surprised the Plumbers got caught; it's a wonder they didn't electrocute themselves.

Dick's head disembodied on a 24-inch charger. Three, four hundred people getting paranoia reinforcement at thirty bucks per. "I wanted the White House to be the first to disclose . . ." Laughter. Bronx cheer blown out of an evening dress. My God, it's true. He sounds like Tartuffe in Act V. But how does he sound in Kansas? Conversations privileged, Dick states, "as those between a husband and a wife." Loud *sotto voce*: "He says 'my fellow American' when he's in bed with Pat." Laughter. They talk back to the screen the way my old Grandma talked back to *Our Gal Sunday*. It's murder. I sense uneasiness just once. When Dick suggests that radical excess in the Sixties set a precedent for Watergate. Apt, that; I want more. They look away: The talk fragments to nervous duets and trios. They don't want to hear. Why is their elitism more elite than mine? Then: "Your votes were a mandate I accepted . . ." The cutest, most chic raspberry from a young woman, vertiginous on her platform shoes. It's over.

And over, I'm reassured. I've seen this cast before: at Mailer's party, at a benefit for *Paris Review*. It's the liberal traveling repertory co. People who play Counterculture as if it were a sophisti-

cated board game you could buy at Brentano's. Mailer, Breslin, Plimpton; Sid Davidoff and Richard Aurelio; the Sanitation Commissioner; Robert Novak, Stewart Mott, Howard Samuels. All getting in shape for some paradigmatic inaugural ball. But the heavyweight sponsors are absent: Dustin Hoffman, Jon Voight, Truman Capote, Gwen Verdon, Eugene McCarthy. The rest are $30 nonentities; those sticky label cards, HELLO, I'M—, wouldn't do them much good. TV cameras, shouldered, joust aimlessly at each other. Not much news here. Nixon's hatred, if they really have it, is the sole distinction—passed on at eight removes like the handshake of John L. Sullivan. The President has kept his campaign promise. He's bringing them together. Often.

And they feel it. An empty gesture, this: like giving the finger to a blind man. Convoluted jokes. "Which is worse, Watergate or Chappaquiddick?" Answer: "Worse for whom?" I'm stopped by someone who has an IMPEACHMENT WITH HONOR button. "It didn't work, did it? His speech flopped. The people won't believe it. Where did you get that knife and fork?" Over there, wrapped in a napkin. "Thanks. God, this is like a bad bar mitzvah." One newsman approaches the Sanitation Commissioner. "I've been asking this question—how do *you* define your enemies?" "Ah, well. . . I guess those who say bad things about me." The newsman nods. "Everyone says that. Ha-ha. Maybe Nixon is right."

BUSINESS AS usual. Jimmy Breslin gets up: It's superfluous, his body comes ready-fitted with a podium. To announce *New Times*, a projected news magazine that will transcend the "telegram style." "All journalism," Breslin says, "is police reporting." That remark doesn't quite translate from the Irish. Now, I wonder . . . Is this the trite outcome of Norman Mailer's Fiftieth Birthday idea? Remember? A "foundation" to supervise the government? Could be. Could very well be. Ten of my thirty dollars have gone tax-free to something called Reporters Committee for Freedom of the Press ("a legal research and defense fund which protects First Amendment rights of the working press"). I try to eat the other twenty dollars; there's a doggie bag for the cats in my briefcase. The as yet unpublished *New Times* is already handing out awards: a pair of inscribed garden trowels to the *Washington Post*'s Bob Woodward and Carl Bernstein for Investigative Journalism. They aren't present; then again, neither is the magazine. It's a draw.

Humor is an accurate rabbit test. Before Breslin we get two top-line satirical revues. Again and again the mimed microphone. "Mr. Haldeman,

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when will we have the tapes?" "Soon. Ah—we have a little overdubbing to do." Routines are imaginative but there is no resource of joy or surprise in Watergate. You can hardly hear. Chatter from the bar over-rides: personal lives surfacing indomitably. Laughter is a diaphragm reflex, half-resented. Friend and enemy, we are tired. Watergate has become a Pyrrhic stalemate.

FOR CLOSERS, Richard M. Dixon, who has all the professional life expectancy of a terminal cancer: that is, not one pulsebeat longer than its host's. Nonetheless he feeds, he feeds. Dixon has said, "I'd rather have an ear in the middle of my forehead than look like Richard Nixon." Sorry, I don't believe it. He's the tiredest of all. If Dixon resembled Edmund Muskie, he'd be following a one-armed accordionist's act somewhere in the Catskills.

But there is an elevating sequence. I watch The Lemmings satirical revue. A blue-grey, fiftyish woman stands near me; she is expensively underdressed. "They're good," she tells me. "They've really got the son of a bitch." On stage: "Mr. Nixon, what have you got to say to the nation?" The woman leans forward. The Nixon-Lemming leans forward. But upstage. And drops his pants —nude cheeks widespread to a microphone. The blue-grey woman says something like "aarrrgh." An ice cube breaks between her teeth; there is, I think, upper-plate damage. "My God. Disgusting. They didn't have to do that." I agree. They didn't. And yet they did. It was the one passionate, surpriseful moment in "An Evening with the Enemies." □

MUSIC

ROGER EVANS

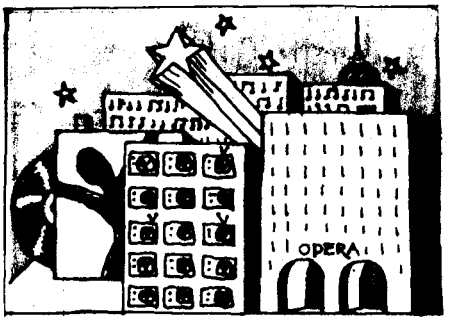
Yankee Doodle Diva

In the early days of television, there was, for perhaps the first and last time, one opera singer whose name, face, and voice were recognizable to a large majority of American families: Eleanor Steber of the *Voice of Firestone*, the *Telephone Hour*, the *Coca-Cola Hour*, and other shows similarly named for their sponsors. In those days before Nielsen ratings and the triumph of the lowest-common-denominator law of programing, Steber's radiant face and voice regularly shone out through those little marvels with the seven-inch screens. On Monday nights, the *Voice of Firestone* was followed by *I Love Lucy*, and the fact that these two shows attracted substantially the same audience was no major source of amazement; both were widely considered to be high-quality, innovative entertainment.

This extensive and early exposure (Eleanor Steber tells me that she performed on the very first commercial television broadcast) gave her a fame and influence that were of literally historical importance; and her early retirement from the Metropolitan Opera has been powerless to dim her influence over a great many people, notably through recordings. As the *New York Times* pointed out in February, she has become "a cult figure à la Judy Garland" in many quarters. But that article was talking about a prima donna who wears "a floor-length silver-black lamé gown, large earrings, and a long sapphire and pearl necklace at one o'clock in the afternoon. . . ."

THERE IS, however, another Eleanor Steber, a Steber who continues to have an historical role, quite apart from her still-considerable powers as a performer: As Eleanor Steber was the first totally American-trained singer to become a star at the Met, she is now the first of that crop to devote a large part of her energies to teaching. "Everything I have been has led up to this," she declares of her teaching at the Cleveland Institute of Music, the Juilliard School, and the New England Conservatory. On this occasion there is no lamé, no temperamental diva, only a woman who is very conscious of being the product of a great tradition and of possessing the obligation to pass it on. "With my varied career, I have *so much* to offer!" she exclaims. And she loves to talk about what she has to offer, how she got it, and how she goes about passing it on.

"We're headed for a great cultural renaissance in this country," she insists, so impressed is she by the young talent she sees growing up. "The competition is even keener today than it was in my day. I have learned to be psychiatrist, mother, ear, everything to my students." Because of her beginnings in Wheeling, West Virginia, she also has a perspective on American cultural life that eludes most prima donnas, to say the least; and her interest in American music of the past, and of modern composers, is unparalleled among singers of the first rank. Not only has she constantly performed American music from Stephen Foster to Elliot Carter, and sung the premiere of Samuel Barber's *Vanessa*; she also commissioned Barber's great *Knoxville, Summer of 1915*, and is always on the lookout for good American songs. Steber was also an excellent pianist-singer in a day that



could accept opera singers who had to learn their roles almost by rote. In these days of a growing consciousness of musical skills among singers, she is a towering example.

"I'm a compulsive teacher," she observes. "And, you know, teaching has helped *me* as a singer. Now I can analyze what I was doing all those years, and understand my own technique better." Indeed, on a recent radio talk-show, she unabashedly criticized her own sublime recording of Mozart's "*Dove Sono*" after it was played on the air. Perhaps Steber is a compulsive teacher because she is a compulsive learner.

"Students nowadays have so much more opportunity to sing opera on a small scale, like opera workshops and school productions, than we ever had in my day. I made my debut at the Metropolitan, in 1940, with only one role under my belt." Of course she made her debut at 23, when most modern sopranos are still at their workshop productions.

This season, at the age of 56, Eleanor Steber is making a New York come-

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Gary Jay Williams *now teaches drama at Catholic University of America. . . .* **Roger Evans** *is a freelance writer on music. Like Mr. Williams, he has a graduate degree from Yale.*

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NR presents a rarity in these days of spiraling prices and shrinking dollars:

A REAL BARGAIN:

Yes, you can get a full year of NR's crisply-written newsletter, the BULLETIN plus a FREE cassette recording of Bill Buckley's "Firing Line" program on "Sex Education!"—all for the price of the BULLETIN alone!

For pure information value, you won't find a better buy around than *National Review's* superbly-written BULLETIN. You would have to plow through literally dozens of publications before you could come up with the facts contained in the BULLETIN's fast-reading 8-pages (average reading time: about 30 minutes), and you'd still be caught short because the BULLETIN features many new items you simply won't find in the regular press. No doubt about it, the BULLETIN is a life-saver because it puts the facts you need to know about today's news developments right at your fingertips. Each issue of the BULLETIN starts with a hard-hitting editorial and ends with a fascinating (and very readable) business news column — written with the layman in mind. In between you'll find features on international news, people in the news, a report on the Left, plus two inside Washington columns. And the price is right too: only $10 for a year's subscription (the BULLETIN is published on alternate weeks, when the magazine doesn't appear). Once you've tried the BULLETIN, you won't want to be without it.

About the cassette:

If you want a lively (and instructive) debate about sex education, with all the pros and cons thoroughly aired, then this cassette of Wm. F. Buckley's "Firing Line" telecast is one you'll want to hear. The participants include Dr. Mary Calderone (of SIECUS— she's for starting sex education in kindergarten), Dr. Joel Fort of the University of California at Berkeley and NR-contributor Dr. Earnest van den Haag, himself a practising psychologist. You'll learn why people are divided by the question of sex education itself, why some feel it is vital and why others feel we could do without it entirely. The cassette is primarily concerned with sex education in the schools. What type of value systems do the Sex Education programs communicate? Do they accurately depict the values of the community? Or do they, in fact, transmit the values of the teachers? What is the role of the parents in sex education? Do these programs lessen the incidence of sexual problems? The answers to these and other qustions are discussed (though not agreed upon) by the participants, and you'll also be interested to know what Bill Buckley has to say on the subject. Remember, this cassette is the original audio track of the "Firing Line" program — so you won't miss a thing! The cassette fits any standard machine — but you can't buy it at your local store! — available now direct from *National Review* if you use the card opposite.

How to get your FREE cassette: *subscribe to the BULLETIN now (renewals are fine too) at the regular rate of $10, and we'll send you FREE and postpaid a cassette of the exciting Buckley "Firing Line" program on Sex Education. (This is a full 60-minute cassette, not one word has been cut from the original telecast.) Just use the handy postage-paid card opposite this page to send us your order. Pay later if you wish, but do let us know soon, as the tapes are available in limited quantities. Many thanks.*

(The Firing Line is a production of the Southern Educational Communications Association. The program was originally broadcast on the Public Broadcasting Service.)

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back. At first, even her most faithful idolators were apprehensive about the attempt of a woman of her age to sing three difficult recitals in the merciless glare of the New York musical scene. They needn't have worried; a second after her opera-star entrance, everyone in the hall knew she was *still* a star. Not just a great American institution, and one of the greatest voices our country has ever produced, but a *star*. And as she opened her mouth, a thrill of recognition went over the audience; it was still the Steber sound. How they loved her! Young people who knew her only from recordings yelled themselves hoarse; flowers almost covered the stage. By the time she had finished Schubert's dramatic *Erlkönig* and Schumann's *Frauenliebe und Leben* (which she had studied with Lotte Lehmann three decades ago), tears were offered as sincerely as the thundering applause.

IN HER intensive teaching, in her master classes all over the country, and in her continuing performances, Eleanor Steber is trying to be true to her estimable tradition. With a flawless musicianship, an intricate understanding of vocal technique, a worldwide record of triumphing at everything from Mozart to Wagner to Berg to *lieder* to Romberg duets with Nelson Eddy, Steber still has even more to offer her fledgling singers: "You *have* to give love. Write that down." Thus says the great lady whom the Japanese used to call "Number One Sing Song Girl U.S.A." □

THEATER

GARY JAY WILLIAMS

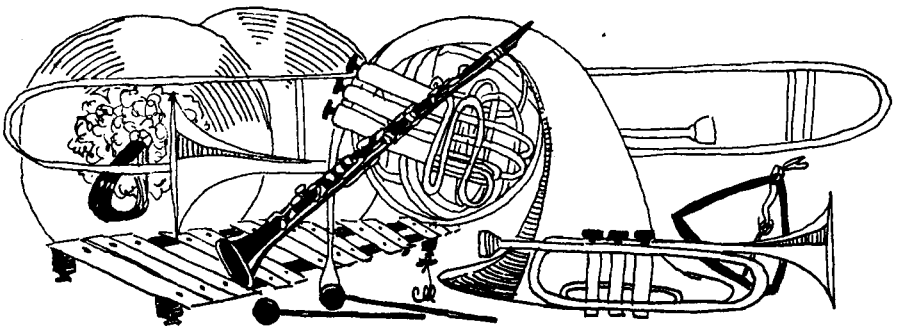
Memo from Osiris

Hi fellow persons! This has been a glorious summer for us of rethinking all last year's concepts. With your zeal, this will be a year of vitalizing, radicalizing, sensitizing, and maximizing that Authentic Self which is Our Art. The one long-standing tradition we will observe this urgent year is last year's innovation: the Structureless Anti-authoritarian Dialogues (SAD). This was overwhelmingly approved by your elected committee For Academic Democracy (one professor, four graduate assistants, and 17 undergraduates). FAD's SAD curriculum is as follows:

There is to be no more Theater History. All history has been canceled subject to revision. FAD feels you should instead seek the world within you and thus we offer in place of history, Self-Exploration 101: 14 hours credit (nongraded) for the intensive investigation of the 17- to 20-year-old Self and all that that entails.

For graduate students, there will be no language requirements at all this year. A nonverbal command of nonverbal theater theory will suffice (unless, of course, you opt for certain upper-level courses outside the department where a reading knowledge of English is still thought necessary—for which we cannot be held responsible).

On the other hand, since the registration for the film survey was so high, we have split the course into 283 sections. Section assignments will be made according to astrological sign pairings using the new university laser computer after it has programed the campanile for our opening day ceremonies.



The Socio-Anthro-Poli-Psycho Department's course, Mimesis Archetypes Survey, has been moved. It will now meet in the former nondenominational chapel.

The Theater of Cruelty and Theater of Ecstasy classes will be combined this semester and will meet in the Performance Environment Configuration Room (formerly the scene shop).

Each new registrant for the criticism seminar, Middle-Class Audience Abuse, must establish, prior to first class *please*, certification of your middle-class origin. Our experience with successfully abusive graduates shows this to be a key prerequisite. Minority students are, *prima facie*, exempt. The course will be taught by the current holder of our *New York Times* Magazine Weekly Tenure, Professor Mark A. Ruse.

As you know, our ad hoc Search Committee for an instructor for the new Street Theater course has been carefully screening candidates. It was the goal to find an authentically, rather than academically, experienced peer leader and the committee is now pleased to announce its appointment. He is John Doe, of no fixed address for the past 18 years. The committee wishes to thank all those who submitted credentials.

OUR USUAL course in Kabuki acting for Americans, taught by Professor Bob Smith of Texas, cannot be offered this year. The students for American Indian Tribal Dances have obtained an injunction and a negotiated equal-time agreement has gone to the trustees for budget authorization.

And for those 379 of last year's 380 theater majors who have not yet found employment, there is a position open at a rural Southwestern college for an established, impeccable scholar and widely known actor/actress, under 35, who wants to direct self-exploration drama on a campus well known for its valid learning experiences and 24-hour Army-Navy boutique. The ability to stage the annual college musical would also be an asset. Minority candidates are urged to apply. Federal law ensures that no discriminating choice will be made.

Finally, I am pleased to announce the completion of our federal- and state-funded performing arts complex, long my dream. The $70-billion marble theater will open with an important, provocative play by our Guerrilla Theater seminar, a yet untitled work which I understand dramatizes plastik Amerika's materialistik exploitation of its young, "from Capitalist Hill to the Whitewash House." The program notes alone will run seventy pages. This will alternate with an original play on the freedom to abort by the celebrated woman author of last year's "The Bombing of the Children of Hanoi."

Yours for a balanced and mythic year,

Professor Osiris. □

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BOOKS

Insights Great and Small

The Briar Patch
By Murray Kempton
Dutton, 282 pp., $7.95

JACK CHATFIELD

New York journalist Murray Kempton is a special case: a son of shabby genteel Baltimore who attended Johns Hopkins with a scholarship from the Daughters of the Confederacy; a former labor reporter who quotes Yeats and models his prose style on the Earl of Clarendon, whose *History of the Rebellion* is still lavishly quoted by historians of the English Civil War; a writer with a profoundly ironic vision and a keen sense of craft, who, despite the passion that infuses his work, is the antithesis of the *engagé* spokesman for movement, party, or man.

Though he is the sharpest of observers and the most ingenious of recorders, Kempton is a formalist for whom events dissolve and reappear poetically arranged. He is wholly without the inclination to be encyclopedic. He thrived as a columnist with space limitations. His earlier book, *Part of Our Time*, was a series of beautifully composed essays on some personalities of the 1930s, rather than a history of the Depression years. *The Briar Patch*, Kempton's study of the New York trial of the Black Panther 21, bears the mark of a long column stretched into a book. It is more mannered, less fluid than his earlier work. But it is full of insights, great and small, and writing so powerful that one is reminded that Kempton can never be paraphrased. He describes a tenement in Brownsville:

> . . . this house could be felt as past the point where bacteria could long breathe there. It seemed curiously clean as a picked bone, having no paint to flake; the dirt on the marble facings by the stair so old that any hand rubbing it came off with no more stain than a candle could leave; none of its graffiti bore a date later than 1947, and the names they memorialized all came from Eastern Europe; no crust this waxen would take the pencil of a child of a successor culture.

He gives this picture of a juror:

> The juror-candidate Charles C. was a Negro, born in Bessemer, Alabama, a wartime sergeant in a port battalion, divorced, no children, working as a clerk in the state insurance department and in the post office at night. He was the portrait of the striver with no goal, since he had no child to work for and was altogether too gentle for private ambition. He held the witness chair as though it were a broom. At fifty-four, his small mustache and slick hair were a reminder of Charlie Chase, the otherwise forgotten film comedian; any effort this appearance represented must have come less from recollected vanity than from some deep impulse toward that obsolescence which is the subtlest way of announcing oneself as threat to no one. Charles C. subscribed to *Cue* Magazine and belonged to a civil service club, which is called the Careerists.

Finally, he says this of Justice Murtagh's response to the revelation by defense counsel that one of the police informants had been certified a paranoid schizophrenic, had jumped bail on a robbery charge, and was presently residing in the Central Islip State Hospital, a mental facility: "Such a history might seem to suggest an unsettling degree of credulity among policemen to any observer less used than Justice Murtagh to gazing into abysses and seeing only neatly ordered acres under cultivation."

One reads Kempton, then, as much for the letter as for the spirit of his work. But it is the letter and the spirit joined that give Kempton's writing its special force. His aim is always to penetrate the fog of rhetoric and passion to solve the mystery of personality. Man, he wrote nearly twenty years ago, "is a private and not a social animal." And if others, friend or foe, perceive the Panthers as incendiaries dedicated to "restructuring" the system—a perception which in its simplicity contains so little truth as to be finally useless—Kempton, in the book's most memorable sentence, writes of the Panthers: "A man's spirit can be marked as moving most clearly from the reform to the revolutionary impulse at the moment when he decides that his enemy will no longer write his history."

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RANDOM NOTES

■ JUST OUT: In *The Masks Jews Wear*, Rabbi Eugene B. Borowitz urges Jews to be more Jewish (Simon & Schuster, $7.95). . . . Neil Harris calls his life of Barnum *Humbug* (Little, Brown, $10). From the same house, the second and last volume of Louis Sheaffer's biography of Eugene O'Neill focuses on *O'Neill, Son and Artist* ($15). . . . Hannah Tillich writes about the philandering of theologian-husband Paul in *From Time to Time* (Stein & Day, $7.95). . . . Roland Mousnier's *The Assassination of Henry IV* is a major new study (Scribners, $17.50).

■ AUTUMN AT DOUBLEDAY. A new illustrated series on the Impressionists debuts with *Renoir* by François Daulte, *Lautrec* by Philippe Huisman and M. G. Dortu, and *Van Gogh* by Jacques Lassaigne (Oct., $9.95 each). . . . Jesuit Walter J. Ciszek tells of his 23 years behind Soviet bars in *He Leadeth Me* (Sept., $5.95). . . . *Philharmonic* is Howard Shanet's pictorial history of the New York Orchestra (Dec., $20). . . . Charles Castle's *Noel* is a big illustrated bio with extracts from Coward's work (Sept., $12.95). . . . James T. Farrell, still working away, out with a new collection, *Judith and Other Stories* (Oct., $6.95). . . . Fergus Reid Buckley's *Servants and Masters* is an intoxicating tale of the Spanish aristocracy (Oct., $10). . . . Always timely, Allen Drury fashions his latest novel, *Come Nineveh, Come Tyre*, around the impeachment of a President (Oct., $8.95).

■ FALL SPORT BOOKS. *Tennis: A Pictorial History* is a big one by Lance Tingay (Putnam, Oct., $12.95). . . . *Always on the Run* by Larry Csonka and Jim Kiick with Dave Anderson is perkier than most football books (Random, Aug., $6.95). . . . Patrick Chelland pens what must be the first life of Notre Dame's greatest star, *One for the Gipper* (Regnery, Sept., $7.95). . . . Then there's *Cosell* by Cosell, if your stomach is strong (Playboy, Sept., $8.95). . . . Gary Ronberg's *The Ice Men* is the season's big, illustrated hockey book (Crown, Sept., $14.95).

For the aficionado, S. C. Thompson's *All-Time Rosters of Major League Baseball Clubs* also has records (Barnes, Aug., $9.95). . . . Giles Tippette lived the 1972 season with the Rice football team, records the experience in *Saturday's Children* (Macmillan, Sept., $6.95). From the same house, *The NFL's Official Encyclopedic History of Professional Football* (Oct., $14.95). . . . Kal Wagenheim's *Clemente!* boasts a foreword by baseball buff Wilfrid Sheed (Praeger, Sept., $6.95). . . . The football gift book of the year may be *Vince Lombardi on Football*. Over 250 illustrations (62 in color), 150 plays diagramed; edited by George Flynn (New York Graphic; $19.95 till March, then $25).

The wish to leave one's mark upon history may make men pathetic, heroic, or dangerous. The Panthers, with their Third World mystique, their costumes, their extraordinary—one can say exotic—calls to violence, their bloody battles with police, their internecine warfare, their invited and uninvited tragedies, their prison days—with all this the Panthers may seem, in retrospect, a blend of the pathetic, the heroic, and the dangerous. That, however deadly they may have been, they were never an American version of the Algerian FLN or of Black September, is clear today. But it was by no means clear to the New York police and district attorney's office in the heated days of 1969, when 21 Party members and fellow travelers were charged with having bombed four precinct houses in the fall of 1968 and with conspiring to bomb a Queens commuter railroad track, five Manhattan department stores, and the Bronx Botanical Gardens.

The evidence had been gathered by a deranged drifter named Shaun Dubonnet, by judge-approved wiretaps on the phones of some of the defendants, and by two cool and efficient black undercover policemen who earned promotions for their work. ("The Negro who rises with the least struggle is still the one who happens into the craft of telling whites about blacks.") Before the racially mixed jury, Assistant District Attorney Joseph Phillips portrayed the Panthers as criminals knit together in a party that was the expression of iron discipline and fanatical will.

The Panthers must have been flattered by this description of their uncertain and unconsummated efforts at revolutionary terror, however apprehensive they were of the possible cost. Gillo Pontecorvo's neo-realist film, *The Battle of Algiers*, a gripping picture of the Algerian uprising of the 1950s, was screened for the jury and described as the Party's guerrilla handbook. In fact, *The Battle of Algiers*, like most of the Panther talk around the office and on the telephone, can only be understood as part of the fantasy life of these undirected radicals. One of the Panthers was so consumed by the film's image of Arab women carrying bombs in their handbags that he clung to the notion that the destruction of Macy's could not be accomplished "unless each Panther woman could find a brand new pocketbook and leave her time bomb there."

THERE WERE solid grounds for believing the Panthers were plotting violence. But the conspiracy case, resting as it did on the presumption of systematic planning and amassing of resources for action at a specified time, seemed less plausible as the trial went on. Besides, Assistant District Attorney Phillips made a serious blunder when he treated the Panthers and the defense witnesses as pariahs. Kempton believes that the turning point of the trial may have been Phillips' attack on a black woman who had worked with one of the defendants on a tenants' council in Queens. He describes the reaction of a juror:

> The eyes of Charles Bowser, supervisor of welfare case workers, were basilisks behind his glasses, his lips were white, and his fingers pressed against them as though to hold back their anathema until some proper time to hurl it forth, enraged professional man enduring for a while but implacably engraving upon his memory the sight of violated professional woman.

In part because of the uncertain evidence, in part because of the wounds Attorney Phillips had unknowingly inflicted upon the jurors, the panel of twelve citizens reached a verdict of acquittal in twenty minutes after a trial which had lasted for 18 months. But the drama of the Panther trial was not confined to the courtroom. Justice Murtagh's home was bombed by the Weathermen. Two Panthers jumped bail and fled to Algeria. One of the two women

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Jack Chatfield *teaches at Watkinson School in Hartford, Connecticut.* . . . **Charles Nicol** *teaches at Indiana State University.* . . . **David Brudnoy**'*s translations of modern Japanese literature have appeared in* Monumenta Nipponica, *the quarterly published by Tokyo's Sophia University.* . . . **John F. Kiley** *also writes for* NR *under the name Johannes Eff.* . . . **Walter Darnell Jacobs** *teaches at the University of Maryland.*

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defendants, an articulate young lady who evidently impressed the jury when she pleaded her own case, was released on bail and became pregnant. Her husband was one of the defendants who remained in jail for two years. He seems to have borne the indignity with revolutionary composure.

In addition, during the trial the Party broke into its Cleaverite and Newtonite wings. And to complicate matters further, those of the Panthers who were still in jail came to believe themselves deserted by their comrades and wrote a manifesto denouncing them. This plunged them into the turbulent center of the Panther feud, a consequence they had not foreseen from the Queens House of Detention. The internal struggle became violent: A Cleaverite was shot in Harlem, and a month later a Newtonite, his eyes taped shut, was executed in the Queens office of the Party. It takes a Kempton to begin to do justice to this scenario.

The Briar Patch bears Kempton's unmistakable mark. Beneath posturing he always sees human beings seeking definition and esteem, maneuvering uncertainly in the vagrant course of events, pursuing personal rather than social ends. In *Part of Our Time*, Kempton wrote: "A man can look upon his life and accept it as good or evil; it is far, far harder for him to confess that it has been unimportant in the sum of things." This insight Kempton applied to a former fellow traveler of the Thirties who had become a consultant for the House Un-American Activities Committee, but it seems applicable as well to the Black Panther Party.

Perhaps it was the trials and the prison terms that the Panthers endured in New York and elsewhere that convinced them that they had made their imprint on history. It would be a mistake to minimize the effect on the Panthers of the internal divisions and the havoc wrought by the pathological wreckage that drifted into the Party. But still, the Panthers may have gotten what they wanted in the long and dramatic trials, the glare of publicity, the New Haven green filled with hundreds of cheering white Yalies, the New Haven streets patrolled by National Guardsmen. Perhaps the police and the courts tamed the Panthers not so much by punishing them as by taking them seriously. Then the history of the Party was being written by the enemy in the *Yale Daily News*, the *New York Times*, the transcripts of wiretapped conversations, and on the police blotters. It is very often failure and not success that fuels revolutionaries. The Panthers' revolutionary flame seems to have begun to dim at just the point when the most attention was being directed toward them and the greatest sums of tax money spent to shield the institutions of society against their frightful wrath. They could feel, rightly or wrongly, that they had shaken these institutions to their bones. Was this the victory they had sought all along? □

Breakfast of Champions
By Kurt Vonnegut
Delacorte, 296 pp., $5.95

The Vonnegut Statement
Edited by Jerome Klinkowitz and John Somer
Delacorte, 286 pp., $7.95

THE IDEAS OF AN ANTI-INTELLECTUAL

CHARLES NICOL

Kurt Vonnegut works very hard to be naive. We're all just simple folk here, writing funny books. It's a good fiction but shouldn't fool anyone.

The philosopher Henri Bergson stated as a "law" of the comic that "the attitudes, gestures, and movements of

the human body are laughable in exact proportion as that body reminds us of a mere machine." Compare Vonnegut's premise in the preface to *Breakfast of Champions* that "human beings are robots, are machines," a premise too simple to accept as the actual belief of a well-known fifty-year-old author but certainly not too simple to sustain a humorous novel. He follows it immediately with this darkly comic description of a man in the terminal stage of syphilis attempting to cross a street:

> He shuddered gently, as though he had a small motor which was idling inside. Here was his problem: his brains, where the instructions to his legs originated, were being eaten alive by corkscrews. The wires which had to carry the instructions weren't insulated any more, or were eaten clear through. Switches along the way were welded open or shut.
>
> This man looked like an old, old man, although he might have been only thirty years old. He thought and thought. And then he kicked two times like a chorus girl.
>
> He certainly looked like a machine to me when I was a boy.

After further examples of physical dysfunction, Vonnegut calmly confesses that "it is a big temptation to me, when I create a character for a novel, to say that he is what he is because of faulty wiring, or because of microscopic amounts of chemicals which he ate or failed to eat on that particular day." Thus evil can be trivialized and reduced to comic proportions: "The people in a country called Germany were so full of bad chemicals for a while that they actually built factories whose only purpose was to kill people by the millions." If shrugging off the Holocaust as bad chemicals seems an ultimate banality, in Vonnegut's defense it must be pointed out that the whole movement of *Breakfast of Champions* is away from this attitude; the mechanical-man idea is exploited, undermined, and dismissed as dangerous. Good-bye, B. F. Skinner.

The ostensible plot of *Breakfast of Champions* traces hour by hour the breakdown of one of Vonnegut's human machines: Dwayne Hoover, a Pontiac dealer in Midland City, is rapidly degenerating into insanity ("Dwayne's bad chemicals now made him put his car in gear," "Dwayne's bad chemicals made him take a loaded .38-caliber revolver from under his pillow and stick it in his mouth," etc.). But "Dwayne, like all novice lunatics, needed some bad ideas, too, so that his craziness could have shape and direction," so Kilgore Trout (the old writer of science fiction who perennially appears in Vonnegut's novels) supplies this shape and direction as follows: "Everybody on Earth was a robot, with one exception—Dwayne Hoover." Dwayne runs amok after that, beating up his mistress, his homosexual son, and a lot of bystanders. A standard fictional format so far: Alternating scenes of Dwayne Hoover

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and Kilgore Trout lead up to their confrontation at a Holiday Inn, after which in good fashion all hell breaks loose.

But "suddenly transformed" Vonnegut appears as a character at this point to renounce his earlier idea that "there was nothing sacred about myself or about any human being, that we were all machines." He no longer believes that "this book is being written by a meat machine"; instead, "at the core of the writing meat machine is something sacred, which is an unwavering band of light." After an inordinate amount of huffing and puffing, Vonnegut has blown down his straw man; but it's all in a good cause, for after unintentionally destroying Dwayne Hoover, Kilgore Trout also sees the light, decides on "the importance of ideas as causes and cures for diseases," and goes on to win the Nobel Prize. Vonnegut might like that too.

INCIDENTALLY, the bad idea was shared not only by Vonnegut, Dwayne Hoover, and Kilgore Trout, but by all Americans ever since the Founding Fathers owned slaves: "They used human beings for machinery, and, even after slavery was eliminated, because it was so embarrassing, they and their descendants continued to think of ordinary human beings as machines." Apparently we all stand guilty, but Vonnegut is personally going to do something about it: He is going to "set at liberty all the literary characters who have served me so loyally during my writing career." So it goes.

Now obviously Vonnegut will continue writing novels; he is always giving up novels that manage to get published anyway. He supposedly was unable to write about his experience during the fire-bombing of Dresden, yet a novel appeared named *Slaughterhouse-Five*. Then he was no longer interested in narrative fiction; he used to give readings from *Breakfast of Champions* as a work he would not finish. Yet here it is; apparently he was working on it all the time. Now Vonnegut tries to establish that every book he publishes is a kind of miracle of insistent language pouring out of its unwilling container.

The authors of *The Vonnegut Statement* accepted Vonnegut at his word, that he was temporarily through with fiction and that *Breakfast of Champions* would not appear in the near future, if at all; their study appeared only a month or two before the novel. But they had their own reason for faith: It allowed them to write about Vonnegut as though *Slaughterhouse-Five* were the turning point in his career, a time for summary and appraisal.

Robert Scholes, who had been one of the first influential critics to pay much attention to Vonnegut, writes in *The Vonnegut Statement* that he is "a crude humorist—a quality he shares with Mark Twain. Like other writers who have reached a broad spectrum of the populace, he is a difficult case for elitist criticism to confront." That comparison with Twain seems inevitable: It appealed to most of the writers of *The Vonnegut Statement* and to a number of recent reviewers as well. Indeed, Vonnegut does his best to be our contemporary Mark Twain, and since nobody else seems to want the title we can give it to him without prejudice.

Both men are defiantly middle-class, pessimistic, unpretentious; Vonnegut thought *Slaughterhouse-Five* "would be a masterpiece or at least make me a lot of money." Vonnegut matches his Indiana against Twain's Missouri, and both continually insult this heritage while insisting it is the only real heritage we have; at the beginning of *Breakfast of Champions* Vonnegut notes that he is "programmed at fifty to perform childishly—to insult 'The Star-Spangled Banner,' to scrawl pictures of a Nazi flag and an asshole and a lot of other things with a felt-tipped pen." Both men are clowns who want to shock their mothers and be thrown out of Sunday School; they are lovable bad little boys who aspire to be holy fools. No wonder the kids like Vonnegut.

But he is neither a "crude humorist" nor a "difficult case for elitist criticism to confront." Vonnegut's simplicity is a mask, and modern criticism loves to strip off masks, leaving its subjects blinking with bewilderment at the powerful light of day. Vonnegut is as full of moving complexity as any other subject a critic could choose. The editors and authors of *The Vonnegut Statement* are good critics, but they are above all enthusiasts—which is not necessarily a bad thing. It gives them the energy to explore his novels as though they were gospel. This is also their problem, for they do take Vonnegut at his own word and his own value far too much. But the study, considering the complexities of its authorship, is amazingly consistent in its viewpoint; it is all good sound work.

Still, Vonnegut may be his own best critic, for he can find his literary roots with extreme accuracy. In an interview also from *The Vonnegut Statement* he notes that he "admired H. G. Wells a lot and Mark Twain and so forth, and somehow got those wires crossed." Indeed, in Vonnegut's novels speculative science is at the mercy of personal whimsy. Writing a bastard blend of science fiction and comic realism like Twain in *A Connecticut Yankee in King Arthur's Court* and *Puddin'head Wilson*, Vonnegut is our only living anti-intellectual novelist of ideas. □

Runaway Horses
By Yukio Mishima
Knopf, 421 pp., $7.95

EXPLORING NIHILISM

DAVID BRUDNOY

In reviewing the first volume of Mishima's tetralogy here (Aug. 4, 1972), I noted that his concentration on three chest moles marring that book's protagonist suggests "not merely Kiyoaki's one physical imperfection, but hints also at his mortality, his inability to achieve transcendence." I erred. Those small marks provide a central clue to the real identity of the second volume's central figure, Isao Iinuma: a spiritual reincarnation of Kiyoaki, contained once more in the body of a splendid youth. The effete, elegant, love-crazed boy of *Spring Snow* has returned from his death in 1912 to play out the game of political assassination and ritual suicide craved by *Runaway Horses*' "pure" hero in 1933.

ISAO "had never wished for anything else but to be a man, live in a manly way, die a manly death. To be thus a man was to be required to give constant proof of one's manliness—to be more a man today than yesterday, more a man tomorrow than today. To be a man was to forge ever upward toward the peak of manhood, there to die amid the white snows of that peak." So it goes, monomaniacally on, to Isao's completed mission and disemboweling through a thrilling examination of an idée fixe: the ultranationalistic zeal to purge Japan of its capitalistic, bureaucratic degeneration by spilling blood in the

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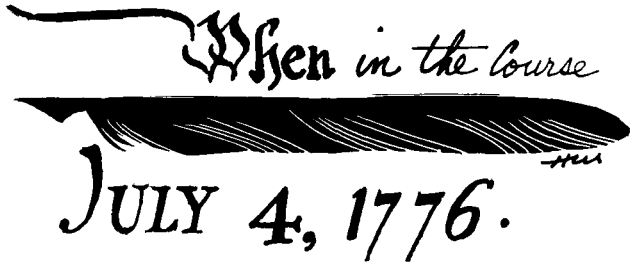
Emperor's name. Kiyoaki had tampered with the Imperial will, taking his beloved from an intended marriage with a royal prince; Isao is reincarnated to expunge that moral solecism with his own life.

Mishima links *Spring Snow* and *Runaway Horses* in the character of Honda, Kiyoaki's level-headed friend, now a judge who meets Isao when the boy participates in a kendo (bamboo fencing) tournament, and in that of Isao's father, once Kiyoaki's tutor and, like his son, once an idealistic superpatriot. The transition smoothly effected, the author enriches half-developed themes from the story set in the closing years of Emperor Meiji's reign by showing their consequences in the early, crucial years of that of Meiji's grandson, Hirohito. No dynastic chronicle, the tetralogy instead aims, in its broad sweep, at exploring the "image of cosmic nihilism on that of the fertile sea."

Especially since his hara-kiri in late 1970, one brings to Mishima's work an awareness of his obsession with Japan's decline into the "Western" perversions of money and influence. We see now that he set up Kiyoaki not just as a vaguely ludicrous wastrel (that was clear), but also as a counterpoint to Isao, wholly admired by Mishima but more than a bit repugnant to our flaccid sensibilities. The majesty of Mishima's talents—his taut yet rich prose, again beautifully translated by Michael Gallagher; his expert evocation of a crucial historical epoch; his scholarly agility in meandering through philosophical complexities—carries this novel that in less practiced hands might have evoked scorn in non-Japanese readers, whose taste for endless discourses on the virtues of slitting open one's stomach may be limited. Moreover, as *The Sea of Fertility* now reaches its midway point in translation, it bespeaks its creator's brilliance and confirms the impression that this tetralogy will eventually rank among the supreme literary achievements of the century. □



On Freedom and Dignity: The Importance of the Sacred in Politics
By Morton A. Kaplan
General Reading Press, 120 pp., $2.50

TRUTH THAT SAVORS

JOHN F. KILEY

Professor Kaplan knows how to clue a body in. All he asks is that you work a bit, following him through the debris of modern culture to where the salt that savors is. A bit? A lot. He goes fast with strong, sure strides, an experienced, loving guide eager to complete his mission. He is clear, but his thought is hard-packed and thrown out as diamonds on a dark surface to sparkle with individual brilliance rather than offered as some jeweled tiara intended for the logical brow: He has done the reasoning, here are the results. Listen:

> The failure of the democratic West, so far at least, in part relates less to its pragmatic failures than to its inability or unwillingness to express moral and religious concerns that respond to human needs and that consequently motivate human actions.

Social science, tra la, hasn't helped in this expression, "much of its literature [being] filled with . . . unrecognized tautologies," Skinner, its high priest, "lost in a parody of utilitarian science." And when it comes to the *unum necessarium* of Kaplan, the discovery and the inculcation of the sacred, it has positively hurt. Yet patience: Goliath can be brought to his unused kneecaps with a few glittering pebbles (diamonds) picked from the river bed of old, unpolluted wisdom. Kaplan shows how: Get a sling and put this in it:

> Skinner's position is equivalent to stating (at a different level of activity) that normal man and one whose hands and feet are bound are equally free or unfree because what they do is equally determined. Stated in this way, the position is obvious nonsense.

But as Bobby Fischer once asked, "What has all this got to do with Watergate?" (He really said, don't you know, chess, and is he the only one in the country able to fiddle with his Sicilian defense while Washington burns? Probably.) Matter of fact, what I am reviewing has a lot to do with it. Clearly it is too late for President Johnson to benefit from this book, but if some lover of Nixon can get his nose into the professor's little section on permissible evil, he may then be able to chop his way out of the jolly python now squeezing the holy bejabbers outta him before our very eyes.

SUMMON UP, sir, the remembrance of bloody and riotous and seditious and anarchic things recently past, seasoned as they were with bombing and imprisoning and dying, spiced as they were with powers, armed to the teeth, angling for the jugular advantage, the nuclear button gleaming all the while

through the encircling gloom. Recall the whole spectrum of evils from which, since you govern a real country and not an abstraction, you chose what had to be permitted if greater evils were to be kept at bay. Says Kaplan, "Even if the explanations offered to the citizen are simplistic and ritualistic, that is a sign to him that his interests are being taken into account and that his sacrifices have meaning." Thus on Vietnam:

> No President who played a role in the interventionary decisions took the public into his confidence, even if only superficially, explained the alternatives open to the government and the potential costs of the choices being made, or made any serious effort to find some minimal consistency between American values and American actions.

But get the book. Then don't let yourself be deflected by the density of its truth or the author's refusal to use high-school vocabulary. Follow him closely through the fever swamps of Skinnersim (and its blood brother, Maoism), through the wastelands of modern educationism, through the dark, paralyzing forests of moral absolutism and narrow-act utilitarianism, to the upland gardens where the sacred in life is something more than a demonic put-down. □

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The Poltava Affair
By Glenn B. Infield
Macmillan, 265 pp., $7.95
Day of Shame
By Algis Ruksenas
McKay, 368 pp., $8.95

WORDS OF CAUTION

WALTER DARNELL JACOBS

The Western revisionists and the Armand Hammers seem to have the ear of the American public concerning judgments of Soviet behavior. Infield and Ruksenas have a cautionary dissent to enter.

Infield writes about the World War II deal whereby the United States was to be given airbases inside the Soviet Union. These airbases were to be used in the shuttle-bombing of Germany to the advantage, it was supposed, of both the Soviet side and the Western allies. There were long negotiations, in the course of which the U.S. gave in on just about every point. Finally, three bases, including one at Poltava, were set up. Against American military advice, local defense of the bases was left to the Soviets. A few raids were made by B-17s. On June 21, 1944, a German air raid wiped out several B-17s on the ground at Poltava. The Soviets sent up no fighters to oppose the German raiders.

From this and related incidents, Infield draws the moral that Stalin was trying to tell us something. If so, we didn't get the message. Stalin got strategic bombing technology (including a gift of the Norden bomb-sight and automatic-pilot technology) and he "demonstrated" that the U.S. was not contributing much to the defeat of Hitler.

Ah, yes, but that was mean old Joe. Even the Communists know that Stalin was capable of bad days. That period of history should, they argue, be assigned to the dustbin.

RUKSENAS brings us up to November 23, 1970, when Stalin was in his grave, Khrushchev had one leg in his, and a portly Brezhnev was managing Soviet affairs. On that day in Menemsha Bight off Martha's Vineyard, a Soviet citizen of Lithuanian nationality sought refuge by jumping from the Soviet trawler *Sovietskaya Litva* to the Coast Guard cutter *Vigilant*, which was moored alongside. Simas Kudirka was beaten on board the *Vigilant* by Soviet thugs and hauled back onto the Soviet trawler. There is a message here, too, Ruksenas tells us, and it is not conducive to cheery views of Soviet international behavior.

Poltava and Menemsha Bight are not proud moments in American history. Neither should be forgotten. □

BOOKS IN BRIEF

THE BERLIN ENDING, *by E. Howard Hunt (Putnam's, 310 pp., $6.95).* Because Hunt was one of the Watergate bunglers, you expect his book to be somewhat sordid and sloppy. But it isn't. This is a splendid suspense novel—perfectly paced, intricately plotted, the prose professional, tight, and interesting. Hunt is a first-rate suspense novelist, and every sign here—the magnitude of the themes, the fully realized characters, the social and political sophistication—points to great potential as a writer of serious fiction. All of which, of course, leads to the inevitable question—why did a man of such obvious talent get himself involved in the Watergate break-in? A clue, perhaps, lies in the character of his protagonist. Before the plot is joined, "His life was routine, that was it. . . . Without the condiment of excitement his life was tasteless as boiled beef. As unsatisfying to his psychological palate." But once the chase begins, "He was alive again." The protagonist is a complex figure, combining artistic ability with a craving for action. And only in artfully plotted intrigue can he reconcile these traits. Striking parallel? But unfortunately for Hunt his abilities as a real-life intriguer fall far short of his abilities as a creator of fiction. Yet ironically, those traits that appear to have led to his personal tragedy may mean professional success, for the fallout from Watergate will catapult this book into bestsellerdom. And the final irony: *The Berlin Ending* is good enough to make it on its own.

J. R. COYNE JR.

THE REALLY INTERESTING QUESTION *and Other Papers, by Lytton Strachey, ed. Paul Levy (Coward, McCann, 177 pp., $6.95).* Unfortunately, the papers in this collection were chosen largely for their Relevance. Thus, the bulk of the volume—composed of correspondence between Lytton and James Strachey, essays read to the Cambridge Apostles club, small pieces of fiction, and one quite unremarkable poem—deals with matters such as conscription, homosexuality, and censorship; and many of Strachey's opinions are indeed, as the editor implies they will be, distasteful to conservatives. But oh! could Strachey write. The Apostles essays in particular, besides being extremely intelligent and amusing, are models of Edwardian prose. E.g., "[Prudes] seem never to have recovered from the loss which they sustained on the death of Queen Victoria. Ever since that sad event, they have fallen sick of a grievous malady: They have begun to compromise. Now a prude who compromises is a prude lost. The whole strength of his position lies in its rigidity: (it is like a maidenhead—either all there, or not there at all)." The fiction is less satisfactory—it is often unbearably cute—although there are details in the unfinished political novel that are worthy of Virginia Woolf or E. M. Forster. The letters alternate between very good conversational writing and embarrassing, Rousseauian self-pity. The editor, when not insulting his subject with comments like, "The treatment of these questions seems very like the one to be found in today's newspaper," provides concise introductions to members of the Bloomsbury circle and the Apostles club.

L. BRIDGES

BALFOUR: *A Political Biography, by Sydney H. Zebel (Cambridge, 312 pp., $14.95).* Arthur James Balfour was a man of charm and intellect, a statesman of real if limited vision, and a remarkably inept politician. His inadequacies in the last department have tended to obscure his better points and make Professor Zebel's new biography a useful corrective, though it is a little over-enthusiastic. Balfour was a skilled debater and respected by his colleagues as such, but he completely lacked the politician's ability to gauge public sentiment. Time and again he misread it and the result was not only the failure of his own ministry but deep wounds to the Conservative Party that were only healed, and then rather superficially, by the bland benevolence of Stanley Baldwin. Perhaps the greatest impact of Balfour on history will prove to have been his vigorous support of Zionism, a good or bad thing depending on one's view of the present Middle East situation. His attempts to "kill Home Rule with kindness" in Ireland failed dismally and his years as a Tory elder statesman earned him approximately equal measures of respect and derision. When told, for instance, that Balfour was dominating the League of Nations as the British representative, Winston Churchill laughingly replied that "if you wanted nothing done," Balfour was "undoubtedly the best man for the task. There was no one equal to him." Had he been a little more selfishly ambitious and even minimally skilled at pleasing the mob, he might have gone further and accomplished a great deal more.

A. BAKSHIAN JR.

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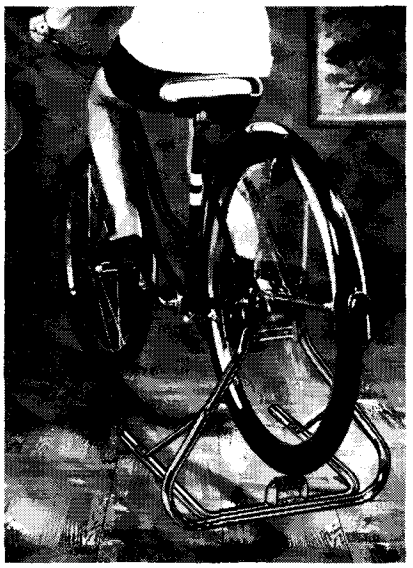

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BROGAN

(Continued from page 1053)

to the obscene. I knew that someone had drawn his chair up right behind me, but I paid no attention until I caught a glimpse of red. I turned round, and there was the Archbishop, all ears as the saying goes. Anxiously recalling the language I had used I started to stammer an apology, but the Archbishop whispered, "Go on, go on. *I* can't say it."

It may have been the memory of this evening that prompted him to take the chair at a meeting I addressed in Battersea Town Hall. Afterward he told one of the committee that he thought I would make an excellent Labor MP. That was too much. Seedy decay, if that was God's will. But a Labor MP—some things are not to be borne.

I would like to see Waugh's entry about another dinner. The *Observer* published nothing of it, but I am sure his comment was interesting and perhaps revealing. It was a small private dinner given in the Garrick Club by Tom Burns of the Catholic publishing firm Burns and Oates. I was there, and Father Martindale, the famous Jesuit. Also there were Stanley Morrison, the historian and éminence grise of the *Times*, and Douglas Jerrold, publisher, author, and newly editor of the *English Review*. Waugh, also invited, arrived late when we were already at table. You might say "Evelyn Waugh joined us," but his entry deserved more than that. Looking uneasy or sulky, he mumbled an apology to his host, and then sat back evidently determined not to enjoy the evening. When he was offered wine he looked at the bottle and flatly refused. Stanley Morrison tried to smooth over the awkwardness. He quietly called a waiter and ordered a half-bottle of wine which would suit a really refined taste. To refuse the wine your host offered and then drink some paid for by a fellow guest was conduct which I thought might almost be described as common.

However, he gradually mellowed and he was playing a decent part in the talk when we moved into the big room for an after-dinner drink. There Douglas Jerrold raised the matter of contributing to his *Review*. The reply was uncompromising. Waugh would not dream of writing for such a wretched commercial production with frightful colored illustrations. He said he was sure I agreed. I said, of course. Everybody knew that Jerrold was simply a printing pirate who would stop at nothing to coin money. I was fond of Jerrold, but thinking that Waugh was pulling his leg I joined in. It very soon became clear that Waugh was entirely serious. He put Jerrold's *Review* in the same class as his host's wine.

I saw Jerrold home to his flat in Whitehall Court. His English phlegm had melted in the heat of his anger and his language was violent. I stayed with him until he had cooled down and left him still thinking unkind thoughts.

A couple of days later I ran across Stanley Morrison on the street and told him that I was thinking of writing to Waugh and telling him that if I were ever again invited to a dinner to which he was also invited, I would decline if he accepted. I would not again see a friend of mine grossly insulted. Morrison told me not to bother. He himself had written immediately after the dinner, to tell Waugh in strict terms what he thought of him. Waugh had replied straightaway saying he was deeply aware that his behavior had been intolerable, but whenever he found himself in company where more than one was a stranger he invariably behaved badly. It was a revealing little admission, which made me think that the diary reference must be interesting. But perhaps he said as much as was necessary in *The Ordeal of Gilbert Pinfold*. There he asked, "Why should everybody find it so easy to be nice except me?" It was a cry from the heart of an unhappy man, who had excellent qualities, supreme courage, loyalty, and generosity. His religious faith was deep.

Nearly all of that unhappy dinner party have moved to another place. Waugh is dead, and so are Father Martindale, Stanley Morrison, Douglas Jerrold. Tom Burns is alive and well, I suppose, but as for me it is likely enough that before very long they will be able to note "Colm Brogan joined us."

That is, assuming I *do* join them. ☐

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- RELIGIOUS PERSECUTION CONTINUES IN U.S.S.R.
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- THE ZEALOTS BEHIND AMNESTY CAMPAIGN
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- UNION TERRORISM RAGES THROUGH NATION
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LETTERS
(Continued from page 1031)

philosophy, by which men come to understand themselves, the ways of God with humankind, their dignity as men, and their obligations to their fellowmen."

Plato, Cicero, Euripides, Vergil, Sophocles, Horace, Thucydides, Tacitus, Lucretius, and many, many more are studied in the original Greek or Latin. A 21-hour (seven-course) philosophy requirement provides a sound, comprehensive background in the great thoughts of the world's great men, ranging from Socrates to Sartre. In addition, the students in the program may pursue another major by means of the free-elective alternatives. This year's class added history, pre-med, philosophy, economics, English, and theology majors to the program's classics degree.

One can still find quality in higher education—the search is a little more difficult.

Cleveland, Ohio TIMOTHY J. HURLEY

On behalf of the many excellent faculty and students in the College of Liberal Arts and Sciences at the University of Kansas I feel obligated to respond to the attack by Russell Kirk on the integrity and intelligence of this group. Mr. Kirk apparently committed the error of accepting without question the appraisal of the College of Liberal Arts and Sciences at the University of Kansas supplied to him by an anonymous "friend of Pearson."

First, allow me to describe the actual decision-making body in the College of Liberal Arts and Sciences here. The College Assembly contains the faculty of the various departments in the College, totaling approximately 550, and in addition it contains about 110 elected undergraduate students and 55 elected graduate students who are functioning as teaching-assistant instructors in the College. Each of these latter groups is elected by his peers. I mention this in order to inform you that the group is a broadly representative group and has a great deal of student participation in the decision-making process.

Next, let me clarify what the actions of this Assembly with regard to the Pearson Integrated Humanities Program actually mean, since these actions have been widely misunderstood and misinterpreted, even by some of the people in the program or affiliated with it. The actions taken by the College Assembly do not mean that students will not be able to continue to take the four six-hour courses by the three professors involved in the program with the help of their graduate assistants.

The action taken by the College Assembly does mean, however, that Pearson courses will not continue to substitute for certain courses which have been required of all other freshmen and sophomores in the College of Liberal Arts and Sciences.

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In the past the Pearson courses had been allowed, as an experiment, to substitute for the three basic courses in English composition, the basic speech course, the Western Civilization sequence, and a humanities distribution course. These requirements were put in our curriculum by the College some time ago in order to encourage each student in the College of Liberal Arts and Sciences to attain a certain level of knowledge in those areas. Although the reasons why individuals vote as they do are usually complex, in the view of the College Assembly the Pearson courses were not adequately fulfilling these requirements. Another major academic reason for the unfavorable vote was the "advocacy teaching" of the professors involved and the belief that freshmen and sophomores should receive a variety of viewpoints during these years, rather than the views held in common by the three professors.

At the University of Kansas we have many ways of serving our varied student body. The Pearson Integrated Program is one. It is clearly a program which is desirable and effective for a number of our students and it is not about to fold. To say, however, that "most undergraduates at Lawrence, Kansas" are in a state of intellectual and moral torpor or that the majority of the College faculty consists of anything less than dedicated scholars and teachers, on the basis of the evidence which Mr. Kirk's informant has furnished him, is not an attempt at serious discourse.

Finally, may I say that the College Assembly is continually reviewing and attempting to improve the educational opportunities provided for our students. The College Assembly does, however, rigorously reject outside pressures and attempts to use avenues external to the University to pressure it into actions which it does not view to be in the best interests of its students.

DELBERT M. SHANKEL
Lawrence, Kan. Acting Dean

Simonds' Obsession

I enjoyed C. H. Simonds' essay on private printing ["My Obsession," June 8], but I have a couple of footnotes to add.

1. Scorn not the lowly mimeograph and spirit duplicator. They are not as handsome as a real press, but they are usually easier and in some ways more versatile.

2. Why print Aunt Maude's poetry? Let her print her own poetry. The implication seems to be that only elderly aunts *write* poetry—which is nonsense. Print your own poems (the birthday-card doggerel, the intoxicated love verse, the scrawl of midnight terrors, the occasional ambitious attempt at Serious Poetry). However bad they are artistically, they must have at least as much interest to you, and maybe your friends, as Aunt Maude's poems do. Why let Maude have all the fun of writing?

Minneapolis, Minn. RUTH BERMAN

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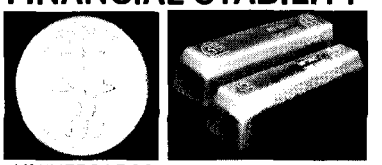

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immediately, All that are left
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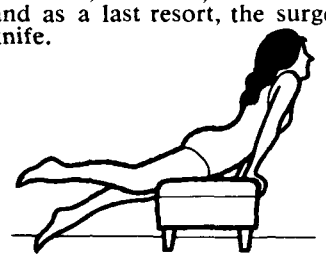
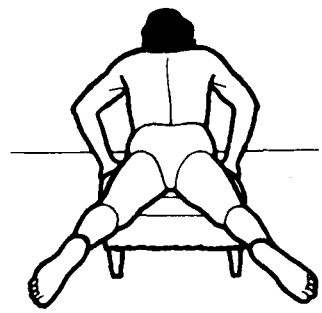


It's true! Thousands of former sufferers and orthopedic specialists hail this effortless method that puts an end to back pain . . . gives you "feelable relief" within a few minutes! Like Jerry Wayne, you've probably tried everything else, so don't you think this new plan is worth a 30-day free trial? You have absolutely nothing to lose but that backache that has plagued you all these years!



Jerry Wayne's Story Could Be Your Story

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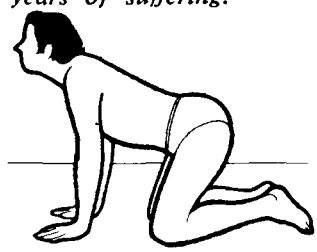
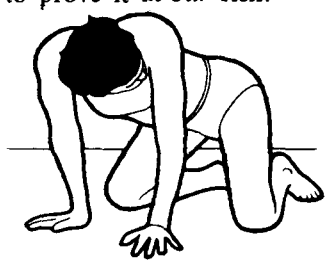


Now he wants to share his discovery with you. His illustrated hardcover book, "The Bad Back Book," is probably the most important news ever published for the millions of Americans who suffer from back trouble. It can save you thousands of dollars and months of misery, starting the minute you open the first pages! It's so effective, we ask you to prove it at *our* risk!



The Simple Secrets That Free You From Pain

On this page are just a few illustrations of the magic orthopedic motions that can help free you from back pain. These easy motions won't tire you. They're as easy as breathing, standing, bending, leaning, stretching, pulling, pointing. But easy as they are, they're based on years of accurate and tested scientific medical research! Developed by a specialist who has studied back trouble most of his life, each simple, medically approved motion helps you overcome your backache, corrects the cause. Each motion loosens, relaxes, strengthens muscles, tones your body, make everything fall into place . . . helps prevent a recurrence of your problem. You'll be amazed at how quickly pain goes! The five series of motions described and illustrated in "The Bad Back Book" are so easy to follow!

You'll enjoy these body motions. You'll feel better, you won't strain yourself, because these easy corrective motions were designed for those who dislike exercise of any kind!

In fact, you'll look forward to taking the untiring, orthopedic, isometric-type postures, stances, and stretches shown you in "The Bad Back Book". They only take a few seconds a day, but they could change your whole life! You'll start right out doing the chin lift, the raised back, the right-arm stretch, the body twist, the fist pull, the shoulder lift, and work up to the arched back and shoulder roll, the hip twist, the grind, the body pull, the point-like-an-arrow stretch! *And you'll say goodbye to that backache!* Of course, there are some extreme cases in which no motions are indicated, and in these cases a go-ahead from your doctor is advisable.

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There are millions of Jerry Waynes. His case is not unique. But you can thank your lucky stars that he decided to share with you the simple secrets that overcome back trouble! Rush this coupon in and save thousands of dollars in expensive treatments, traction, hospitalization, surgery, loss of earnings! Follow the simple, easy motions illustrated in "The Bad Back Book" for 20 days. You pay only $5.98 during this special offer. We pay the 70c shipping cost. *If you don't stop that back trouble before it stops you . . . if your back pain isn't gone . . . simply return the book and we'll send you your money back.* Do it right now.

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WM. F. BUCKLEY JR.

The Awe-Full Senator Weicker

On The Right

New York, Aug. 29—How should one say it about Senator Lowell Weicker (R., Conn.)? He is my very own senator, from my very own state, and I wish him all the best, but I do wish that before the hearings resume, he would go somewhere to dry out his lachrymal glands. If he weeps once more about the human condition on television, composing his features like a puppydog's, I would not be surprised to see a John Dean for President movement. Really, it is a wonder that Lowell Weicker can cross the street without stopping to bemoan the manners of motorists. If he had been the presiding judge at the trial of Willie Sutton, Willie would have died on the witness stand from old age. "Do you mean to sit there, Mr. Sutton, as an American, considering everything your country has done for you, back even before the Revolutionary War, and then the Civil War, and with all the traditions of honor, and justice, and respect for one's fellow man—Mr. Sutton, did you stop to consider all of that when you robbed the bank?" How one yearns, after a colloquy between Senator Weicker and a Watergate witness, for something of the flavor of the Sutton trial, of which a specimen exchange between prosecutor and witness was: "Why do you rob banks, Mr. Sutton?" "That's where the money is."

CONSIDER Weicker interrogating John Mitchell who admitted that Gordon Liddy had come to his office with a set of bizarre counterintelligence proposals. Now everybody in the whole world, down to and including John-John taking his summer vacation in the Aegean, knows that John Mitchell was a) head of the Re-Elect Committee and b) formerly Attorney General. Here is what one has to go through on that point from LW: "All right. Let's start at the beginning here, if we can, in going over the testimony that has been presented by you, and do some probing. I must confess, Mr. Mitchell, that as I have sat here and listened to your testimony the only difficulty I find with it is that it sometimes is difficult to realize that we have sitting before the committee not some administrative assistant to some deputy campaign director but we have the campaign director sitting before this committee, and indeed we don't have some deputy assistant Attorney General sitting before the committee, we have the Attorney General of the United States sitting before the committee. . . ." Can you, I mean, can you stand it?

ANYWAY, Mitchell listened to Liddy's plan, dismissed him, and proceeded to other pursuits. Senator Weicker seems to think it would have been more appropriate for Attorney Mitchell to push a button and call in an Execution Squad. He couched his indignation in Fanny Farmer nougat: "You mean after listening to what we would both agree are outlandish plans, that you were neither moved to great anger in your capacity as Attorney General of the United States, which certainly everything that he proposed runs contrary to what you were supposed to stand for at that moment? . . . I find it inconceivable, unless there seems to be at least some willingness to share a portion of the mentality, that you didn't go ahead and have the fellow arrested for even suggesting this to the Attorney General of the United States."

John Mitchell said, "Senator, I doubt if you can get people arrested for suggesting such things."

Senator Weicker would come back again and again. "Is there anything in this country, aside from the President of the United States, that puts you in awe, Mr. Mitchell?"

Mitchell. "To put me where?"

Weicker. "That puts you in awe?"

A. "There are very, very many things."

Q. "Do the courts put you in awe?"

A. "Very much so."

Q. "Does your oath as attorney, does that put you in awe?"

A. "Very much so."

It is only surprising that Senator Weicker didn't ask John Mitchell whether the Grand Canyon put him in awe. One wishes Senator Weicker were in awe of the aesthetic sensibilities of grown-up people. □

LONDON NOTES

London, Aug. 31—The English are following the American crisis with a certain amount of satisfaction, to be sure, which is altogether natural under the circumstances historical and political. It is fashionable, over here, to say that under English institutional arrangements, the "American kind of thing" could not have happened. Mr. Michael Foote, the distinguished, and just a bit dreamy, Socialist MP, is hot on the theme, pointing out that in England all you have to do is vote No Confidence in the Prime Minister and hesto-presto you get yourself a new Prime Minister. Mr. Foote wishes *we* would have a supreme Parliament.

We knocked that around a bit, and I suggested that there was a case for divided government, pointing out the occasional uses of a Supreme Court that could say no alike to the Legislature and to the Executive, and also the occasional uses of an independent Executive, which could survive plebiscitary passions of the Congress. While we were at it, Mr. Foote was invited to explain how come his Prime Minister could take his country to war in the Suez in 1956 without consulting anybody, including—as we look back on it—the people who supply armies with gasoline and fish and chips. He was asked to meditate on the decision of his beloved Parliament to suspend elections during the Second World War, even though Abraham Lincoln managed an election in the middle of our war, and was reminded that whereas in the U.S. we need a court order to search and enter, the English can just go ahead, without restraint. But we parted friends.

OTHERWISE, the concerns of the English are as usual catholic. Mr. Malcolm Muggeridge's memoirs are being serialized, and they are not surpassed, perhaps not even equaled, in quality and interest. He has done everything, known everyone, and when he was born a star was assigned to him which has followed him about ever since, through all his enthusiasms, disillusionments, and rediscoveries, shedding its light on him and providing him the

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supreme blessing: Muggeridge has never been dull. He could rewrite the *opera* of the Fabian Society, and make them joyous to read.

Prince Andrew, 13, wishes, according to the front page of the *Express*, that "Mummy would someday say 'no.'" The incident grew out of the Queen's reviewing some Color Guard or other yesterday, and being asked the ritual permission after the ceremony to break ranks. Her son was heard to whisper his yearning to his accompanying colonel, or nanny, or whomever, and one's heart goes out to him, particularly since the photographed expression on Her Majesty's face suggests that she will be practicing saying no in the moments immediately ahead of her on returning to the Castle.

Also on the front page there is a call from the president of the football league, after surveying the damage done to the railroad cars by the young fans that come to the games, to "bring back the birch," by which he means bring back the caning of youthful offenders who are not, one gathers, disciplined effectively by fines. Someone instantly objected that the damage to the cars is done only by the "unruly minority," and the reader is left supposing that the president of the football league proposed birching the orderly majority, though that was not, I think, his intention.

MR. BERNARD LEVIN, a splendid writer and journalist of the anti-humbug school, warns against having the Olympic Games in Moscow in 1980, reminding us all of the fiasco of 1936 when Hitler turned the Berlin Games into an Aryan paean. Actually, I think this time Mr. Levin is wrong. 1980 is only seven years off, and I cannot imagine how the Russians could simultaneously a) prepare to receive, house, and feed fifty thousand people for the Olympic Games, and b) prepare for a world war. Anybody who has ever lined up for a cup of tea and a sandwich in Moscow will understand what I mean.

And then there is a lady called Phyllis Cornell, an expatriate American, who writes in the *Times* (London) that she was recently re-disillusioned about America on taking a trip to Williamsburg. For one thing she resents the "savage" cuts in welfare taken by Richard Nixon. It is hard to understand how the lady would account for the fact that we are spending more money than ever on welfare. But mostly she was upset by having been given a menu that listed a "vegetable du jour" which turned out to be "tinned peas." I quote her: "'Yes,' I thought, 'it figures. A people who will accept tinned peas as vegetable du jour will easily be duped by a Syngman Rhee, a Bao Dai, a Ky, a Thieu, and come to think of it, a Nixon.'" Syngman Rhee! I had plumb forgotten how we had been taken in by Syngman Rhee! Ms. Cornell makes no reference to Leonid Brezhnev, whom one might suppose she'd have held up as our vegetable du jour. □

GETTING ABOUT IN ITALY

Port'Ercole, Italy, Sept. 4—It is generally accepted as an act of divine resolution that planetary order should have come out of the universal chaos. It is no less a miracle that one can travel in a mere seven hours that two hundred miles from the Isle of Capri to Port'Ercole. With changes in Naples and Rome. But the odyssey is eventful, instructive, and expensive, and one concludes not only that in Italy every other laborer is a baggage porter, but that the porters are the bedrock of the capitalist class. There were three of us, with eight bags, and it cost us $60 in tips. At that we were feeling misanthropic. That is the genius of the Italian porter who sets out to rob you. You ask him how much for toting eight bags in his cart from one train to another leaving an hour and a half later. "Seven dollars is the tariff . . ." he will tell you, the final word pitched high, the Italians having learned the art of aposiopesis from the Greeks two thousand years ago. It is rather as if, cracking open the safe in the bank, you turn to the manacled, gagged manager and say to him reproachfully, "Do you realize that after all the trouble I have taken you have only one hundred thousand in cash?"

The taxi driver at Naples was coaxed up to the quay where the hydrofoil disgorged the passengers after the 45-minute run from Capri. The native population separated from us as if we had the plague. Quite. As we drove off, the driver explained in an ebullient English—he had spent a month in Yonkers-New-York as a drummer with a jazz band—that when he had been asked to come to shipside to pick us up because the lady had a "gamba mala," which was the nearest we could come in Italian to describing my wife's twisted knee, he inflected "mala" in such a way as to suggest to the milling crowd that he was proceeding to pick up a lady with a diseased leg; and since the disease du jour in Naples is cholera, we found ourselves with the leper's right-of-way. The driver rejoiced over his gentle duplicity, talking all the way, braking to sudden stops every few blocks to wave at fellow drivers and friends, giving us a running narrative about the Germans during the war, when he was a boy of 14, and arriving at the station, all but embracing us goodbye.

Unfortunately it was the wrong station. Back went the bags, after tipping prodigiously the three porters who took the bags off the taxi only to put them back onto the taxi after telling us the train left from the other station. The driver was enchanted at the prospect of another few minutes with us, and promised he would make the connection. There followed a ten-minute drive that will remain in memory. When I say it was a drive that paralyzed my wife into silence, I mean such drives are truly paralyzing. My wife will complain of recklessness at the wheel at 25 mph, but would be stoical perched on top of Saturn II during the countdown. The driver re-enacted the chase in *The French Connection*, hurtling through Naples around trucks and buses and applecarts, ricocheting through tunnels, and singing lustily the songs he learned at Yonkers-New-York, especially favoring "I Luff Noo Yohk Eeen Choon," and we arrived with time to spare.

FOUR porters grabbed two bags each and forced us to run as best we could, keeping pace with one diseased leg, and we made it to the baggage car. The four porters desired 2,000 lire each, or $3.50 each for the two-minute run. Our traveling companion, whose day it was to act as purser, resisted.

At this point, the porters' spokesman lifted his hand and beckoned, as he might have done to summon Oliver Wendell Holmes and Earl Warren to adjudicate a dispute of Olympian gravity. Holmes and Warren were two unengaged porters who instantly joined us, listened solemnly to the contending parties, and rendered their judicious verdict that the porters were correct in the price they requested. By this time, the train about to pull away, we capitulated, and just then the taxi driver rematerialized. He had forgotten to give us his card. "You feela free to write me *any* time!" he said exultantly, and we said thanks, we certainly would, as the door closed on us and we could see the porters cheerfully chatting until, the train beginning to move, they saw that we were looking at them, whereupon their expressions changed, as if Arturo Toscanini himself had trained them, into a harmonized despondency over the human condition which our miserliness had jolted them into reconsidering. □

(Washington Star Syndicate, Inc.)

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Trans-O-Gram

By SVEND PETERSEN

DEFINITIONS

A. Where Ty Cobb played most of his career — 25 199 139 106 212 191 17

B. One of the forgotten countries — 30 182 141 82 71 178 164

C. Opinion — 145 188 205 9 134 197 158 98 1

D. Town in Sharp County, Ark. — 154 31 2 109 73 128 122

E. A swimmer — 159 181 32 186 200 123 83

F. Town in Scotland, near Carlisle, England — 163 75 81 143 152 157 175 210 217 10 62

G. A performer of great and laborious services — 6 142 179 45 206 223

H. Heap big talk — 102 192 18 21 209 12

I. What Henry Aaron could become — 121 14 49 55 77 89 213 23 27 36 116 136 169

J. Pleasing in sound — 135 174 104 162 171 193 224 22 91 147

K. The government of the United States *and* the fifty state governments — 41 35 95 99 129 138 189 16 20 39

L. Crapshooting — 50 108 126 132 207 5 15 63 194 187 221 60 69 72 80

M. What a one-horse *place is sometimes* called — 79 218 56 211 42 59 225

N. A weasel — 84 137 202 33 222 144

O. Where all the news that fit was formerly printed — 92 7 34 40 53 101 173 65 61 198 203

P. A New Testament book — 208 46 85 215 74 100 219

Q. A suburb of Minneapolis — 214 160 148 165 103

R. Seventy per cent of the nation's capital — 216 140 166 13 78 180 226

S. Due — 52 124 105 131

T. A noisemaker — 66 125 156 110 86

U. To find or fix the place of in a sequence — 190 149 115 87 37 112

V. The business district — 57 90 167 150 64 114 220 155

W. This hangs from the roof or sides of a *cavern* — 151 51 19 24 44 111 68 146 8 184

X. A town in Greece — 168 127 96 26 176 172

Y. Soldiers specially trained for close-range fighting — 195 130 29 185 119 88 204

Z. Annoyance — 201 28 43 48 153 70 76 94 107 118

a. Agitated in feeling — 3 196 58 177 38 133 67 120 54

b. A familiar sight during wheat harvests — 11 161 47 117 4 93 170 97 113 183

DIRECTIONS

The object of TRANS-O-GRAM is to fill out the puzzle diagram by guessing the WORDS (above) from their DEFINITIONS, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled out it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the WORDS have all been filled in above, their initial letters will spell out the author and title of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definitions on the authority of *Webster's New International Dictionary*, Second Edition.

See page 1072 for solution of last Trans-O-Gram

1 C	2 D	3 a	■	4 b	5 L	6 G	■	7 O	8 W	■	9 C	10 F	11 b	■	12 H	13 R	14 I	15 L	■
16 K	17 A	■	18 H	19 W	20 K	■	21 H	22 J	23 I	24 W	25 A	■	26 X	27 I	28 Z	29 Y	30 B	31 D	■
32 E	33 N	34 O	35 K	■	36 I	■	37 U	38 a	39 K	40 O	■	41 K	42 M	43 Z	■	44 W	45 G	46 P	47 b
48 Z	49 I	50 L	■	51 W	52 S	■	53 O	54 a	55 I	56 M	■	57 V	58 a	59 M	60 L	■	61 O	62 F	63 L
■	64 V	65 O	66 T	67 a	■	68 W	69 L	■	70 Z	71 B	■	72 L	73 D	74 P	75 F	76 Z	77 I	78 R	79 M
■	80 L	81 F	82 B	83 E	84 N	85 P	86 T	87 U	88 Y	89 I	■	90 V	91 J	92 O	93 b	94 Z	95 K	96 X	■
97 b	■	98 C	99 K	100P	101O	102H	103Q	104J	105S	106A	■	107Z	108L	109D	110T	111W	112U	■	113b
114V	115U	116I	■	117b	118Z	■	119Y	120a	121I	■	122D	123E	124S	125T	126L	127X	■	128D	■
129K	130Y	131S	132L	133a	■	134C	135J	136I	137N	■	138K	139A	■	140R	■	141B	142G	143F	144N
145C	146W	147J	148Q	149U	150V	■	151W	152F	153Z	■	154D	155V	156T	■	157F	158C	159E	160Q	■
161b	162J	163F	■	164B	165Q	166R	167V	168X	169I	■	170b	171J	■	172X	■	173O	174J	175F	176X
177a	178B	179G	180R	■	181E	182B	183b	184W	185Y	■	186E	■	187L	188C	189K	190U	191A	192H	193J
■	194L	195Y	■	196a	197C	198O	199A	■	200E	201Z	202N	203O	204Y	■	205C	206G	207L	208P	■
209H	210F	211M	212A	213I	214Q	215P	■	216R	217F	218M	219P	■	220V	221L	222N	223G	224J	225M	226R

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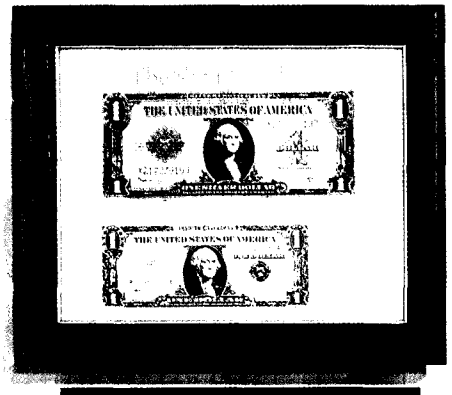

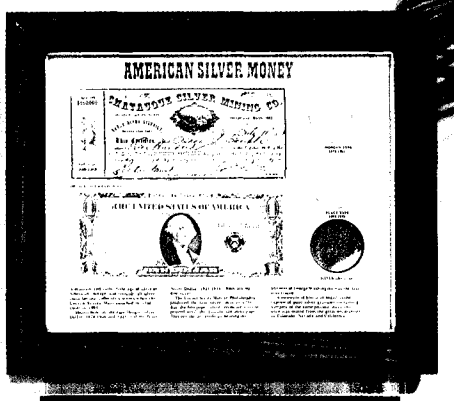

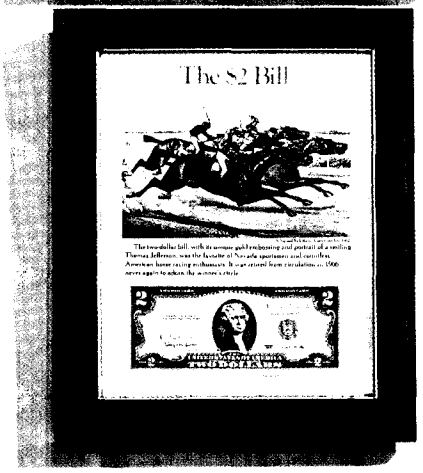

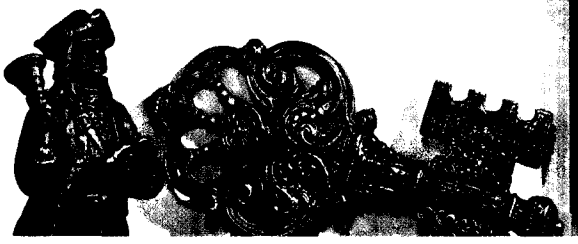

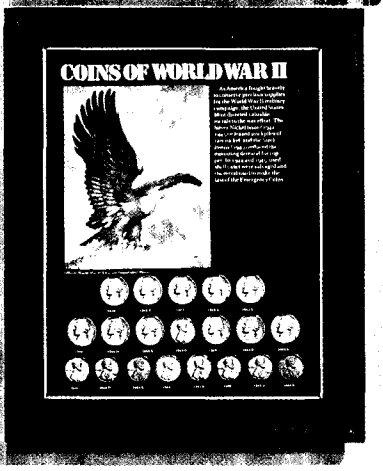

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